

Ontario Land Tribunal

PROCEEDING COMMENCED subsection 17(40) of the **Planning Act, R.S.O.** 1990, c. P. 13, as amended

Applicant and Appellant: 30 Duke Street Limited
Subject: Failure of the City of Kitchener to announce a decision respecting a Proposed Official Plan Amendment
Property Address/Description: 22 Weber Street W.
Municipality: City of Kitchener
Municipality File No.: OPA 20/005W/JVW
OLT Case No.: PL210104
OLT Lead Case No.: PL210104
OLT Case Name: 30 Duke Street Limited v. Kitchener (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: 30 Duke Street Limited
Subject: Application to amend Zoning By-law No. 85-1 - Refusal or neglect of the City of Kitchener to make a decision
Existing Zoning: Commercial Residential Three Zone
Proposed Zoning: Site Specific (To be determined)
Purpose: To permit a 19 storey residential building
Property Address/Description: 22 Weber Street W.
Municipality: City of Kitchener
Municipality File No.: 20/013/W/JVW
OLT Case No.: PL210104
OLT Lead Case No.: PL210105
OLT Case Name: 30 Duke Street Limited v. Kitchener (City)

PROCEEDING COMMENCED UNDER subsection 42(6) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18

Applicant and Appellant: 30 Duke Street Limited
Subject: Heritage Conservation Act Appeal
Reference Number: HPA-2022-V-015
Property Address: 22 Weber Street W.
Municipality: Kitchener/Waterloo
OLT Case No.: OLT-22-004383
OLT Lead Case No.: OLT-22-002377
Legacy Lead Case No.: PL210104
OLT Case Name: 30 Duke Street Limited v. Kitchener (City)

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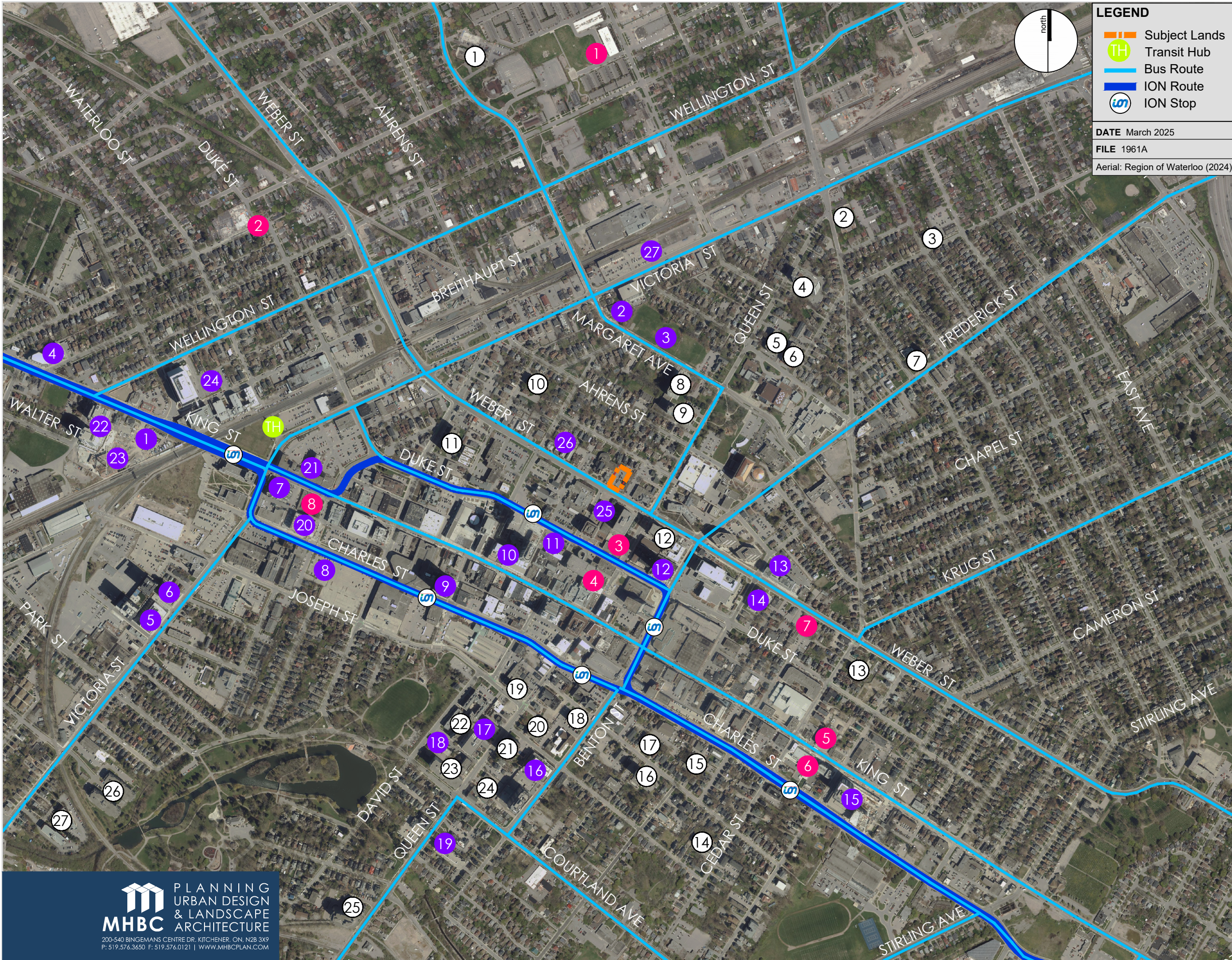
Location Plan

22 Weber St W, Kitchener



- 22 Weber St W
- Walking Distances
- Parks
- Downtown Kitchener
- Heritage District
- Trails
- LRT Route





LEGEND

- Subject Lands
- Transit Hub
- Bus Route
- ION Route
- ION Stop

DATE March 2025

FILE 1961A

Aerial: Region of Waterloo (2024)

Surrounding Context

22 Weber Street W

Recently Approved/Constructed Developments

1. Station Park (Phase 3) (50 Storeys)
2. The Maverick (6 Storeys)
3. Avenue M (6 Storeys)
4. Midtown Lofts (6 Storeys)
5. Garment St Condos (26 Storeys)
6. One Hundred Condos (19 Storeys)
7. One Victoria (19 Storeys)
8. Water St & Charles St W (25 Storeys)
9. Charlie West (25 Storeys)
10. City Centre I & II (17-26 Storeys)
11. 45 Duke St W (23 Storeys)
12. DTK Condos (39 Storeys)
13. Killam Apartment REIT (11 Storeys)
14. The Scott (11 Storeys)
15. Drewlo Vertikal (19-23 Storeys)
16. Arrow Lofts (15 Storeys)
17. Ophelia (10 Storeys)
18. Otis (6 Storeys)
19. Barra on Queen (6 Storeys)
20. Tek Tower (45 Storeys)
21. Kaufman Lofts (6 Storeys)
22. Station Park (Phase 1) (18-28 Storeys)
23. Station Park (Phase 2) (36-43 Storeys)
24. Google Phase 3 (12 Storey Office)
25. 151 Ontario St (27 Storeys)
26. Weber & Young NE Corner (8 Storeys)
27. 236-264 Victoria St (35-40 Storeys)

Proposed Developments

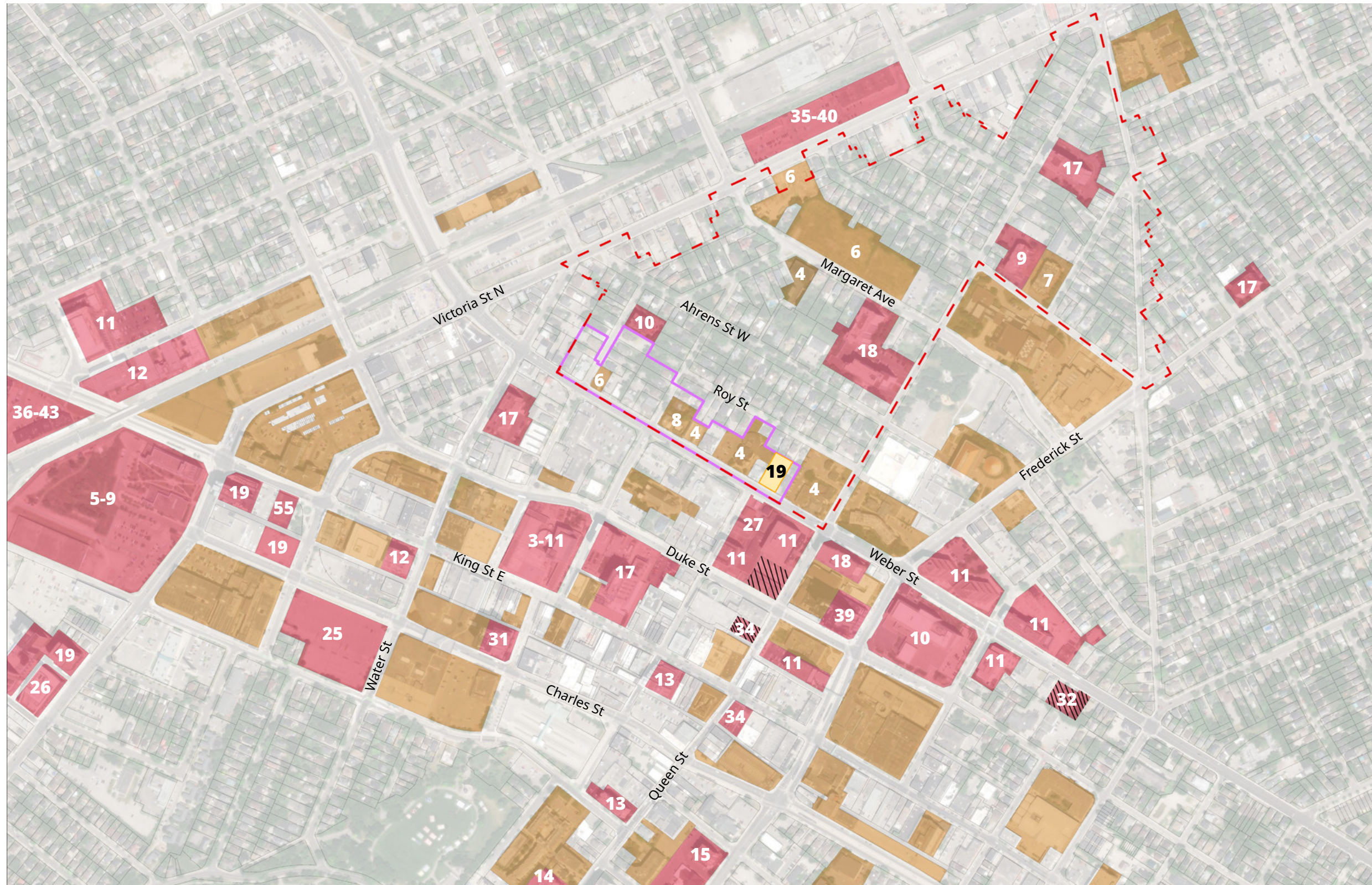
1. Victoria Common (6-35 Storeys)
2. Duke & Shanley (8 Storeys)
3. The Duke Office Condos (10 Storeys)
4. Q Condos (34 Storeys)
5. Market Flats (7 Storeys)
6. 387 King St E (8 Storeys)
7. 83-87 Weber St (32 Storeys)
8. Ziggys (55 Storeys)

Existing Apartments Buildings

1. The Estate Apartments (12 Storeys)
2. Queen's Heights (7 Storeys)
3. 120 Mansion St (6 Storeys)
4. Kitchener Manor Apartments (17 Storeys)
5. 10 Ellen St (9 Storeys)
6. 20 Ellen St (7 Storeys)
7. 250 Frederick St (16 Storeys)
8. 11 Margaret Ave (18 Storeys)
9. 100 Queen St (17 Storeys)
10. 119 College St (10 Storeys)
11. Alexandrian Apartments (16 Storeys)
12. The Regency (18 Storeys)
13. Cedar Court (6 Storeys)
14. 86 Cedar St S (14 Storeys)
15. Eby Village (9 Storeys)
16. Wellington Place (19 Storeys)
17. 74 Church St (8 Storeys)
18. 64 Benton Condominiums (14 Storeys)
19. Queen's Place (13 Storeys)
20. 20 St. George St (6 Storeys)
21. Conestoga Towers (17 Storeys)
22. St. David Street (8 Storeys)
23. Victoria Park Towers (14 Storeys)
24. Bread & Rose Co-Op (6 Storeys)
25. Iron Horse Towers (14 Storeys)
26. Victoria Park Place I & II (7 & 9 Storeys)
27. Willowside Housing Co-Op (±6 Storeys)

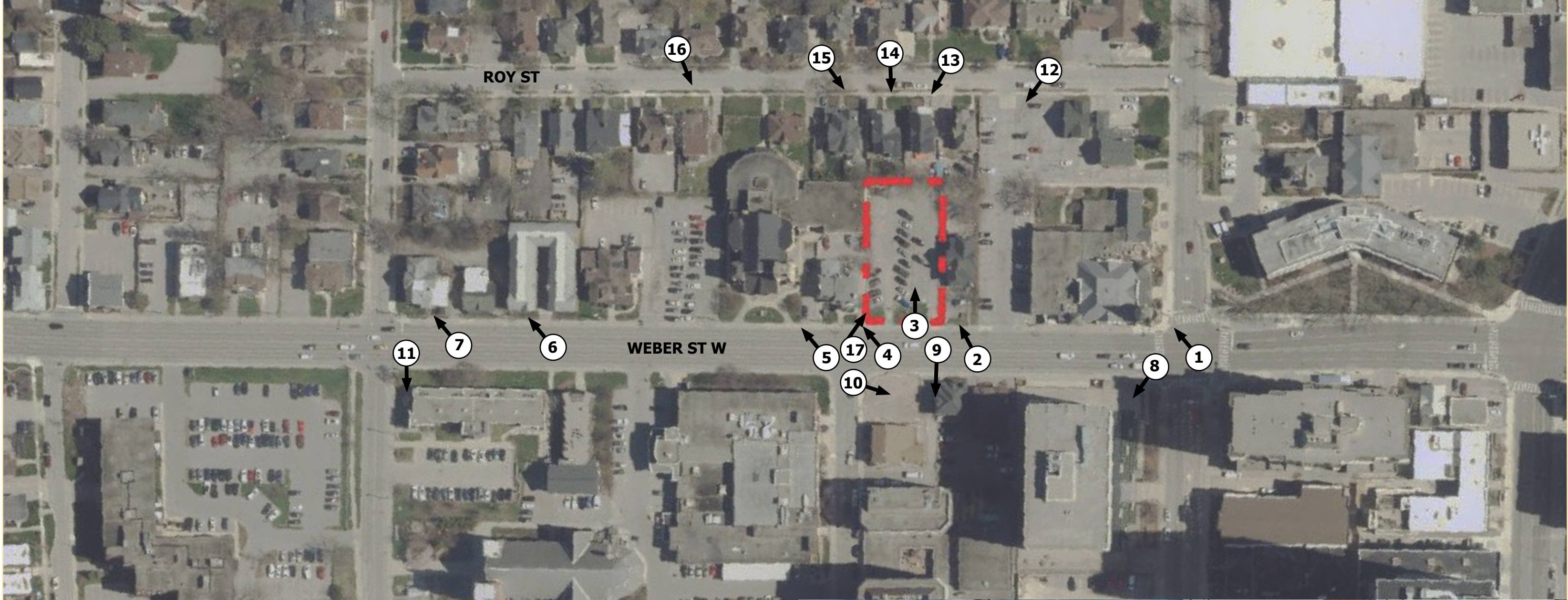
Height Context Map

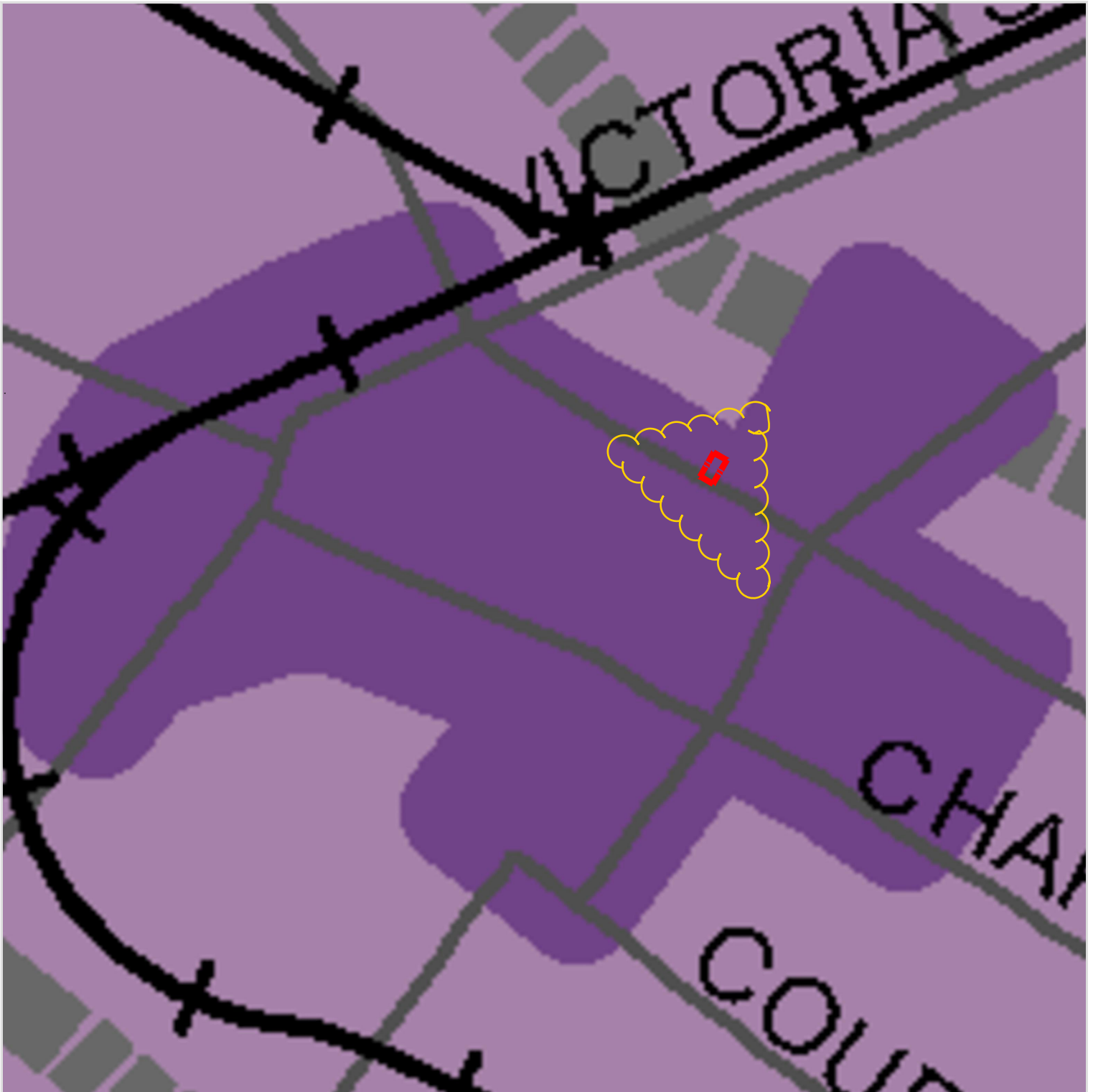
22 Weber St W, Kitchener



Key Map

22 Weber St W, Kitchener
















**Region of Waterloo
Regional Official Plan
Map 3a,
Urban Area**
(June 18, 2015)

22 Weber Street,
City of Kitchener,
Region of Waterloo

LEGEND

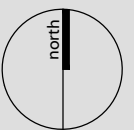
-  Subject Lands
-  Built-Up Area*
-  Urban Designated Greenfield Areas
-  Prime Industrial/Strategic Reserve (Served)
-  Urban Growth Centres
-  Reurbanization Corridors **
-  Major Transit Station Areas **
-  Central Transit Corridor Environmental Assessment Study Area
-  Planned Highway 7
-  Region of Waterloo International Airport
-  Urban Area Boundary

DATE: March 18, 2025

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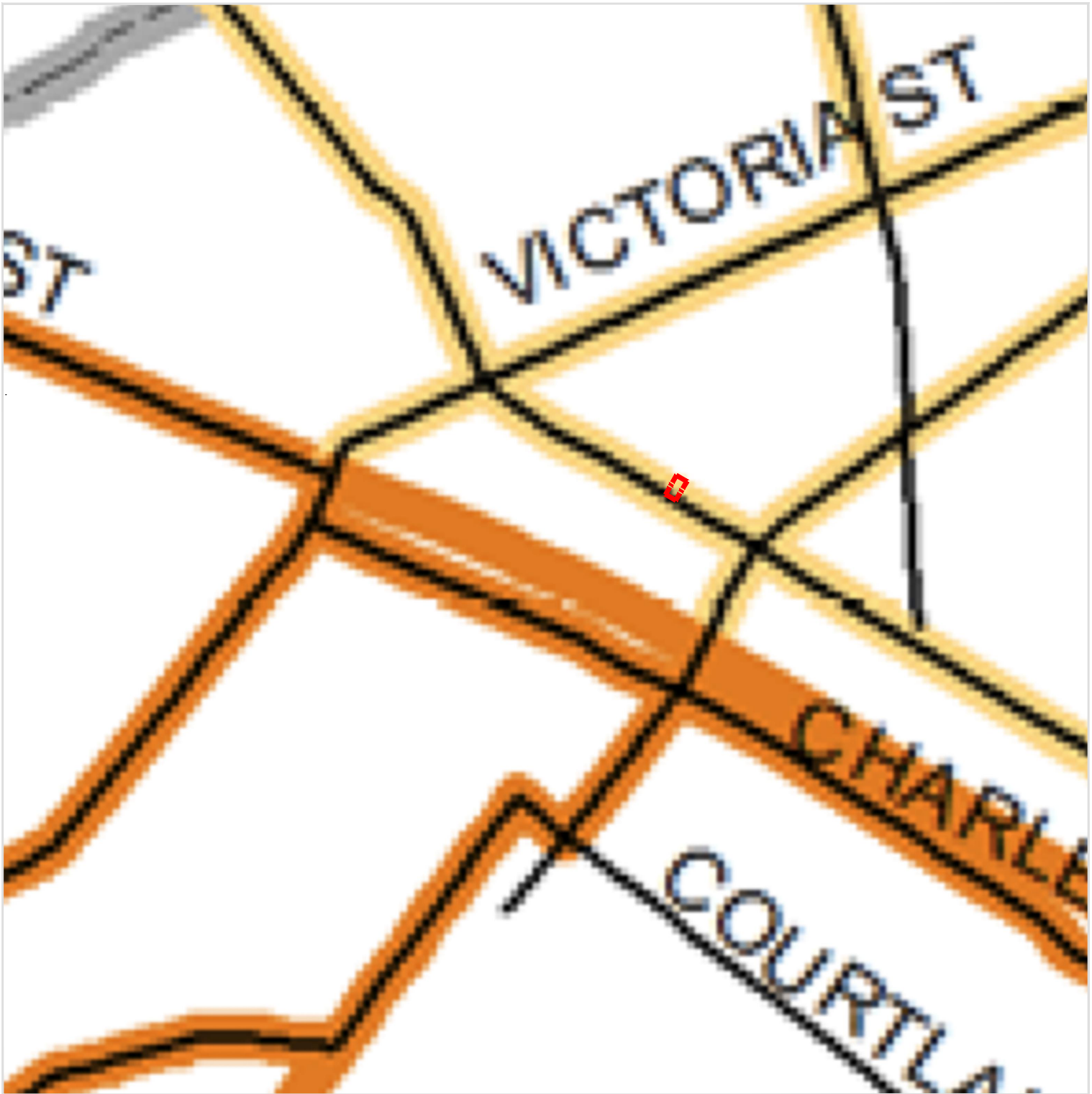
DRN: LHB



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**Region of Waterloo
Regional Official Plan
Map 5a,
Regional Transit
Network**
(June 18, 2015)

Figure 9

22 Weber Street,
City of Kitchener,
Region of Waterloo

LEGEND



Subject Lands



Existing Transit Corridors



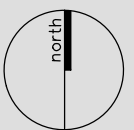
Planned Transit Corridors

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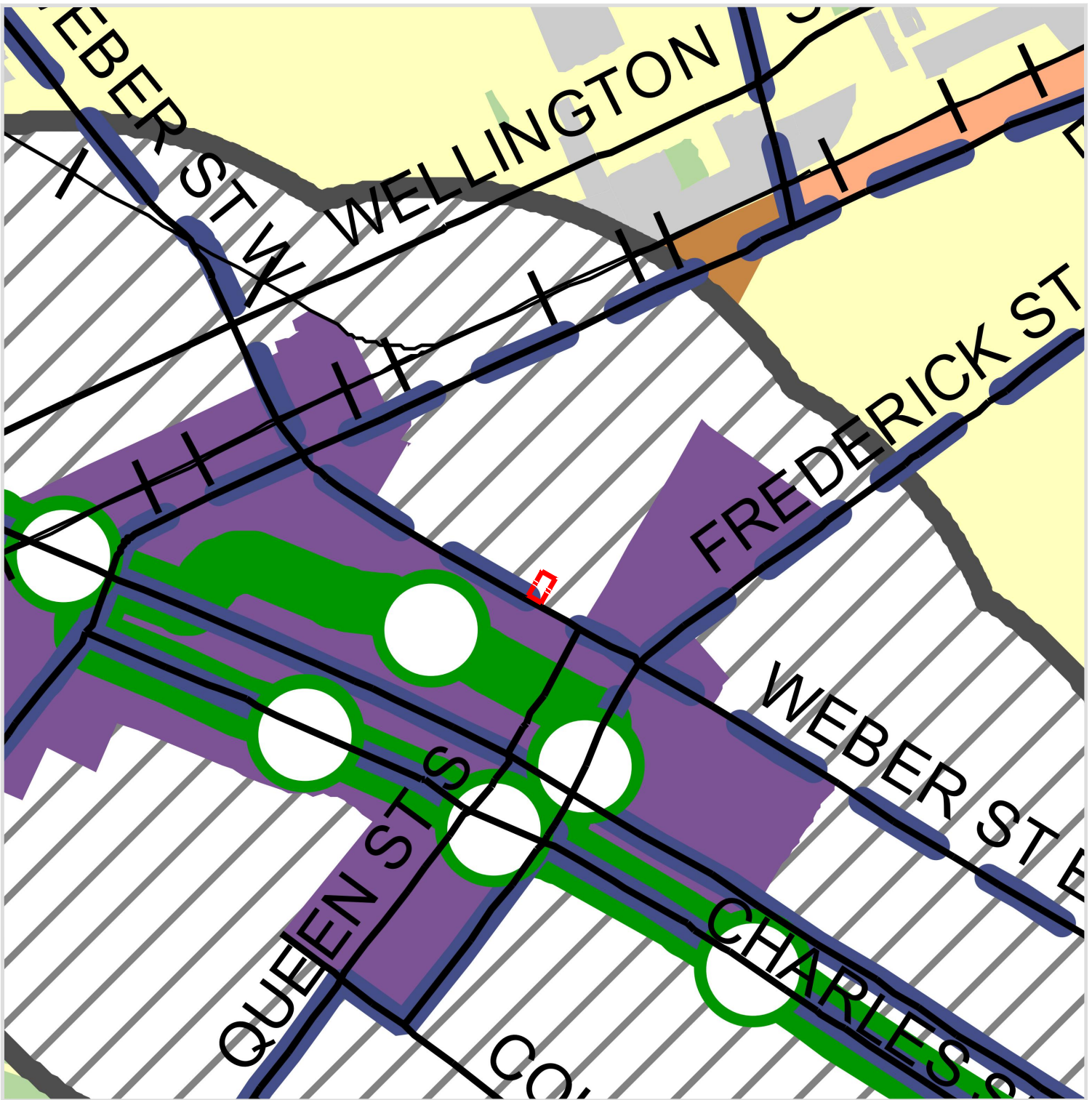


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**City of Kitchener,
Official Plan,
Map 2,
Urban Structure**
(Approved by the Region of
Waterloo, November 4, 2014,
Last Revised: June 24, 2019,
Revised by Amendments - OPA 3,
LPAT PL150200)

Figure 5

22 Weber Street
City of Kitchener,
Region of Waterloo

LEGEND

Subject Lands

Intensification Areas

- Urban Growth Centre (Downtown)
- Major Transit Station Area
- City Node
- Community Node
- Neighbourhood Node
- Urban Corridor
- Arterial Corridor

Other Areas

- Community Areas
- Industrial Employment Areas
- Green Areas

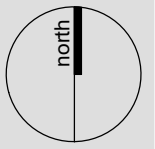
Transit

- Existing Transit Corridor
- Planned Transit Corridor
- Light Rail Transit Corridor
- Adapted Bus Rapid Transit Corridor
- Rapid Transit Station

Area Under Deferral

- Area Under Deferral


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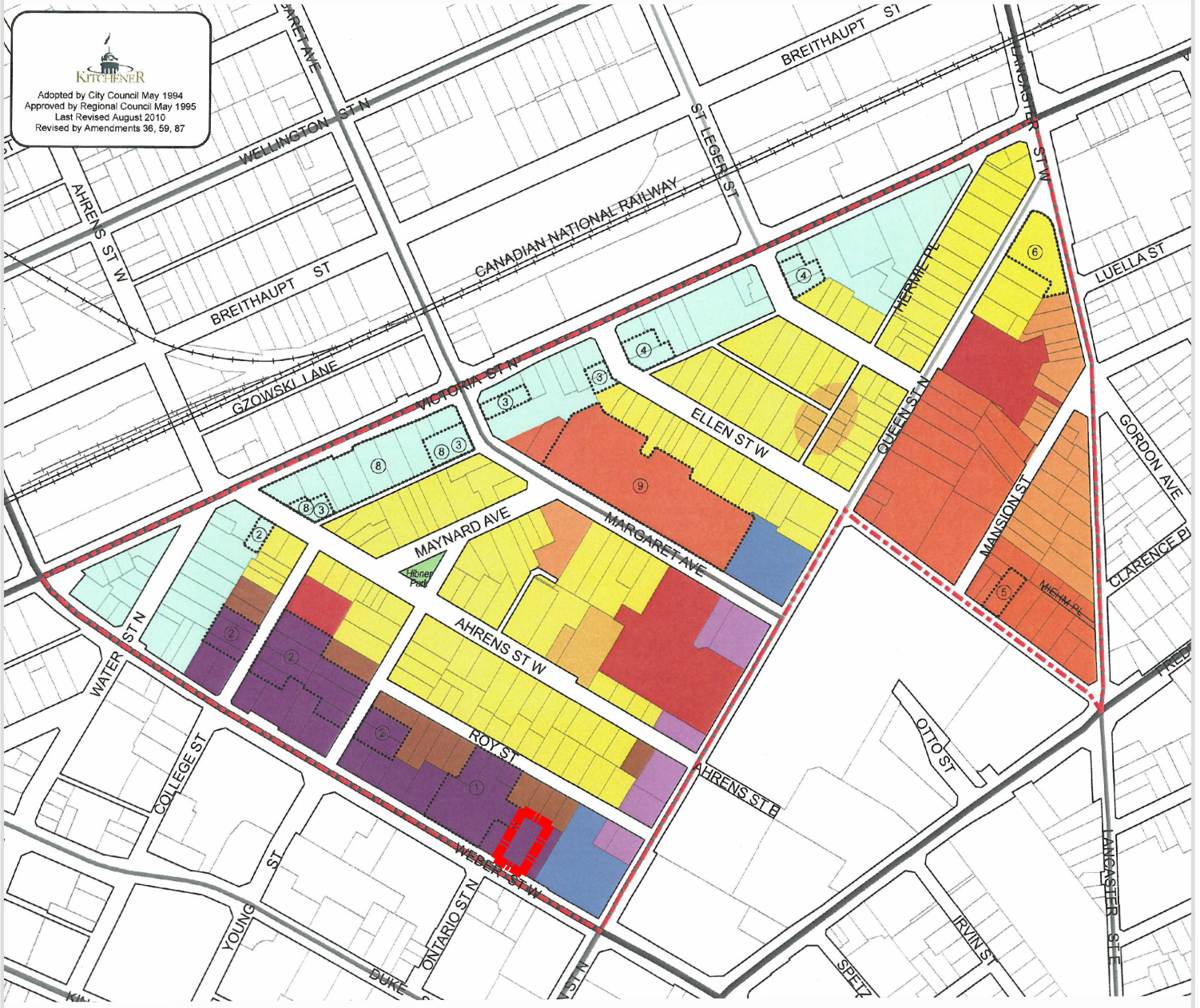


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 Adopted by City Council May 1994
 Approved by Regional Council May 1995
 Last Revised August 2010
 Revised by Amendments 36, 59, 87



**City of Kitchener,
 Municipal Plan,
 Map 9,
 Civic Centre
 Neighbourhood**
 (Last Revised: August 2010)







Figure 6

LEGEND

 Subject Lands

Civic Centre Neighbourhood

-  Low Rise Residential Preservation
-  Low Rise Multiple Residential
-  Low Density Multiple Residential
-  Medium Density Multiple Residential
-  High Density Multiple Residential
-  Office Residential Conversion
-  Medium Density Commercial Residential
-  High Density Commercial Residential
-  Community Institutional
-  Mixed Use Corridor
-  Neighbourhood Park

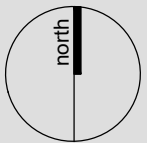
-  Boundary of Secondary Plan
-  Special Policy Area
-  Primary Arterial Road
-  Secondary Arterial Road
-  Major Collector Road
-  Minor Collector Road

DATE: March 18, 2025

SCALE: 1 : 20,000

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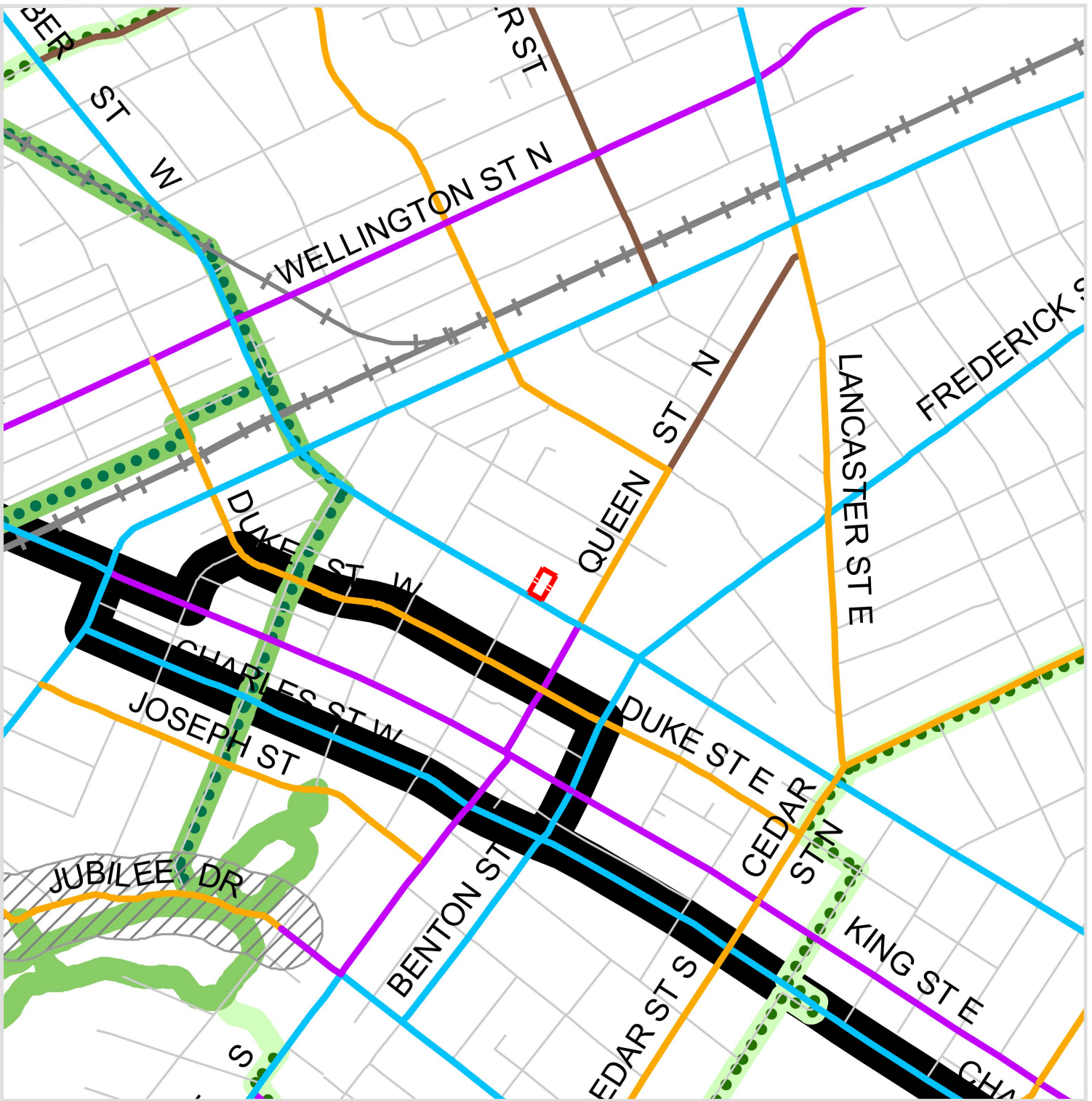
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**City of Kitchener
Official Plan,
Map 11,
Integrated
Transportation
System**

(Approved by the Region of Waterloo, November 4, 2014, Last Revised: March 21, 2019, Revised by Amendments - LPAT PL 150200)













Figure 12
22 Weber Street,
City of Kitchener,
Region of Waterloo

LEGEND

 Subject Lands







Street Network

- Provincial Highway
- Regional Road
- City Arterial Street
- Major Community Collector Street
- Minor Neighbourhood Collector Street
- Local Street
- Heritage Corridor

Existing	Planned	Proposed Corridor
		
		
		
		

Multi-Use Pathway and On Road Connection Network

- Primary Multi-Use Pathway/Connection (Type 1)
- Secondary Multi-Use Pathway/Connection (Type 2)

Transit Corridor

- Light Rail Transit Corridor Public Transit Right-of-Way
- Adapted Bus Rapid Transit Corridor

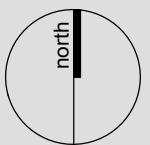
	
	

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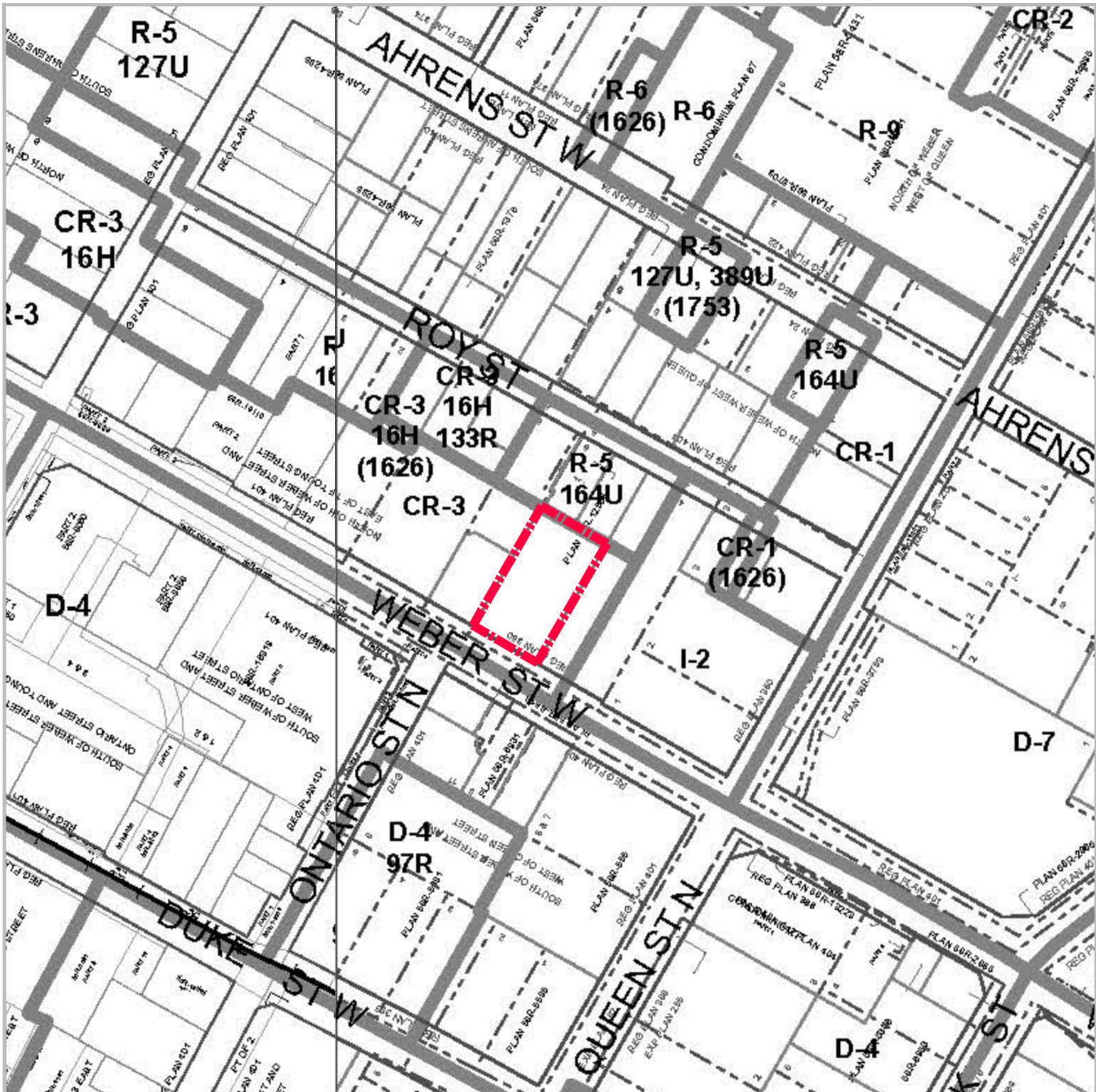
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**City of Kitchener
Zoning By-law 85-1**
(Schedules 84 & 121)

LEGEND

 Subject Lands

EXISTING ZONING

- R-5 RESIDENTIAL FIVE ZONE
- R-6 RESIDENTIAL SIX ZONE
- R-9 RESIDENTIAL NINE ZONE
- I-2 COMMUNITY INSTITUTIONAL ZONE
- CR-1 COMMERCIAL RESIDENTIAL ONE ZONE
- CR-2 COMMERCIAL RESIDENTIAL TWO ZONE
- CR-3 COMMERCIAL RESIDENTIAL THREE ZONE
- D-4 OFFICE DISTRICT ZONE
- D-7 MACKENZIE KING SQUARE ZONE

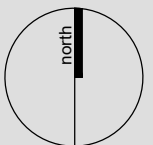
- R Special Regulation Provision for Specific Lands
- U Special Use Provision for Specific Lands

DATE: June 8, 2020

SCALE: Not to Scale

FILE: 1961A

DRAWN: LHB



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Figure 7

22 Weber Street,
City of Kitchener
Region of Waterloo



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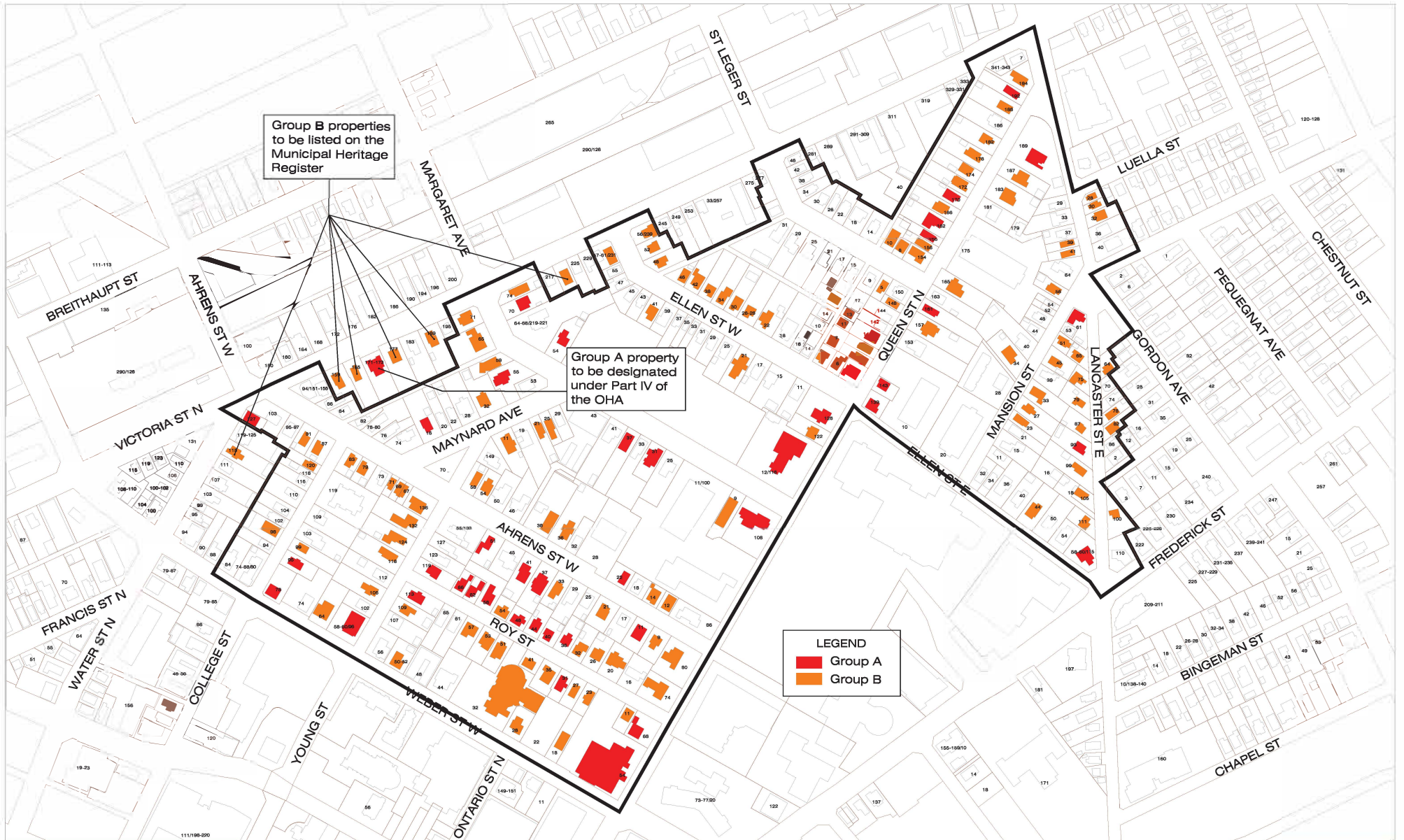
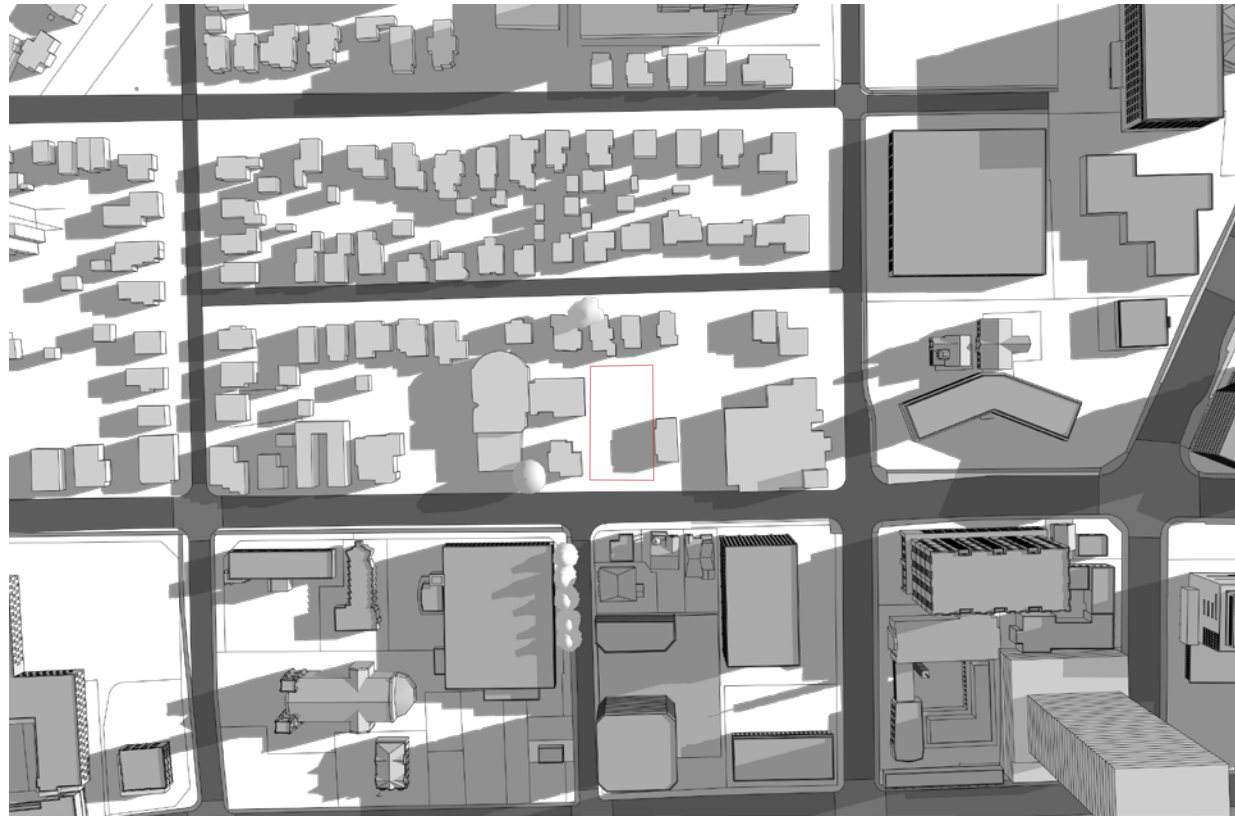


fig 3: recommended part iv & heritage register properties
 civic centre heritage conservation district plan

Existing Shadows



March 21, 9AM

EDT, UTC -4h

Shadows with Proposed Development



March 21, 9AM

EDT, UTC -4h

Existing Shadows



March 21, 12PM

EDT, UTC -4h

Shadows with Proposed Development



March 21, 12PM

EDT, UTC -4h

Shadow Impact Study

22 Weber St W, Kitchener

Existing Shadows



March 21, 3PM

EDT, UTC -4h

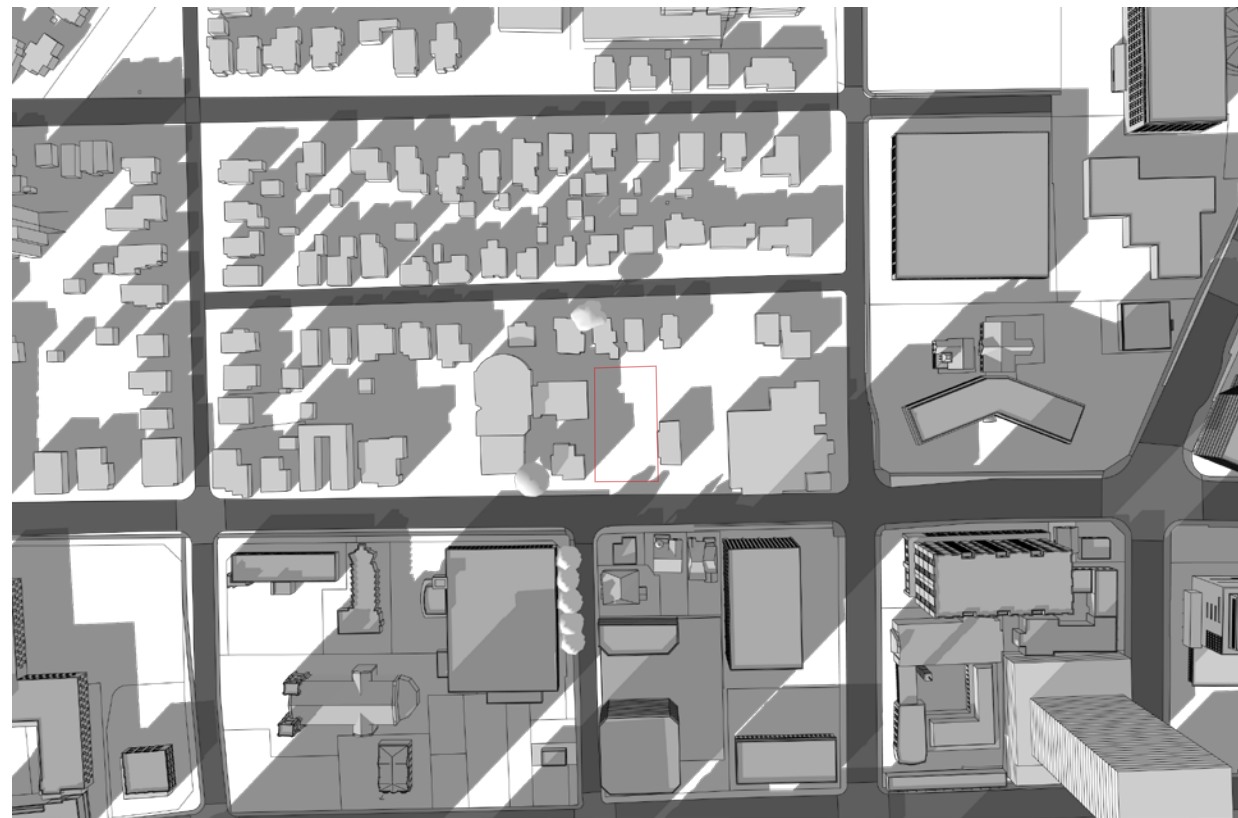
Shadows with Proposed Development



March 21, 3PM

EDT, UTC -4h

Existing Shadows



March 21, 6PM

EDT, UTC -4h

Shadows with Proposed Development



March 21, 6PM

EDT, UTC -4h

Shadow Impact Study

22 Weber St W, Kitchener

Existing Shadows



June 21, 9AM

EDT, UTC -4h

Shadows with Proposed Development



June 21, 9AM

EDT, UTC -4h

Existing Shadows



June 21, 12PM

EDT, UTC -4h

Shadows with Proposed Development



June 21, 12PM

EDT, UTC -4h

Shadow Impact Study

22 Weber St W, Kitchener

Existing Shadows



June 21, 3PM

EDT, UTC -4h

Shadows with Proposed Development



June 21, 3PM

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Existing Shadows



June 21, 6PM

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Shadows with Proposed Development



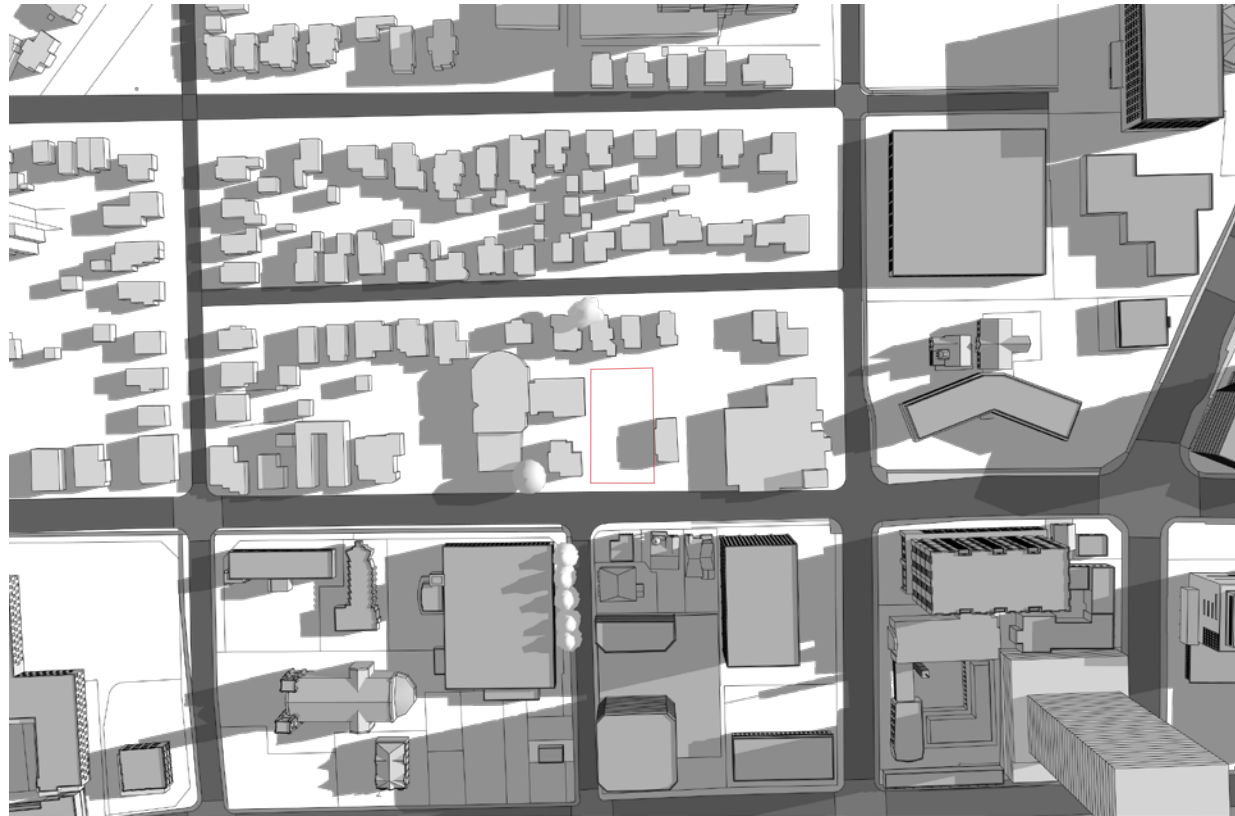
June 21, 6PM

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Shadow Impact Study

22 Weber St W, Kitchener

Existing Shadows



September 21, 9AM

EDT, UTC -4h

Shadows with Proposed Development



September 21, 9AM

EDT, UTC -4h

Existing Shadows



September 21, 12PM

EDT, UTC -4h

Shadows with Proposed Development



September 21, 12PM

EDT, UTC -4h

Shadow Impact Study

22 Weber St W, Kitchener

Shadow Impact Study

22 Weber St W, Kitchener

Existing Shadows



September 21, 3PM

EDT, UTC -4h

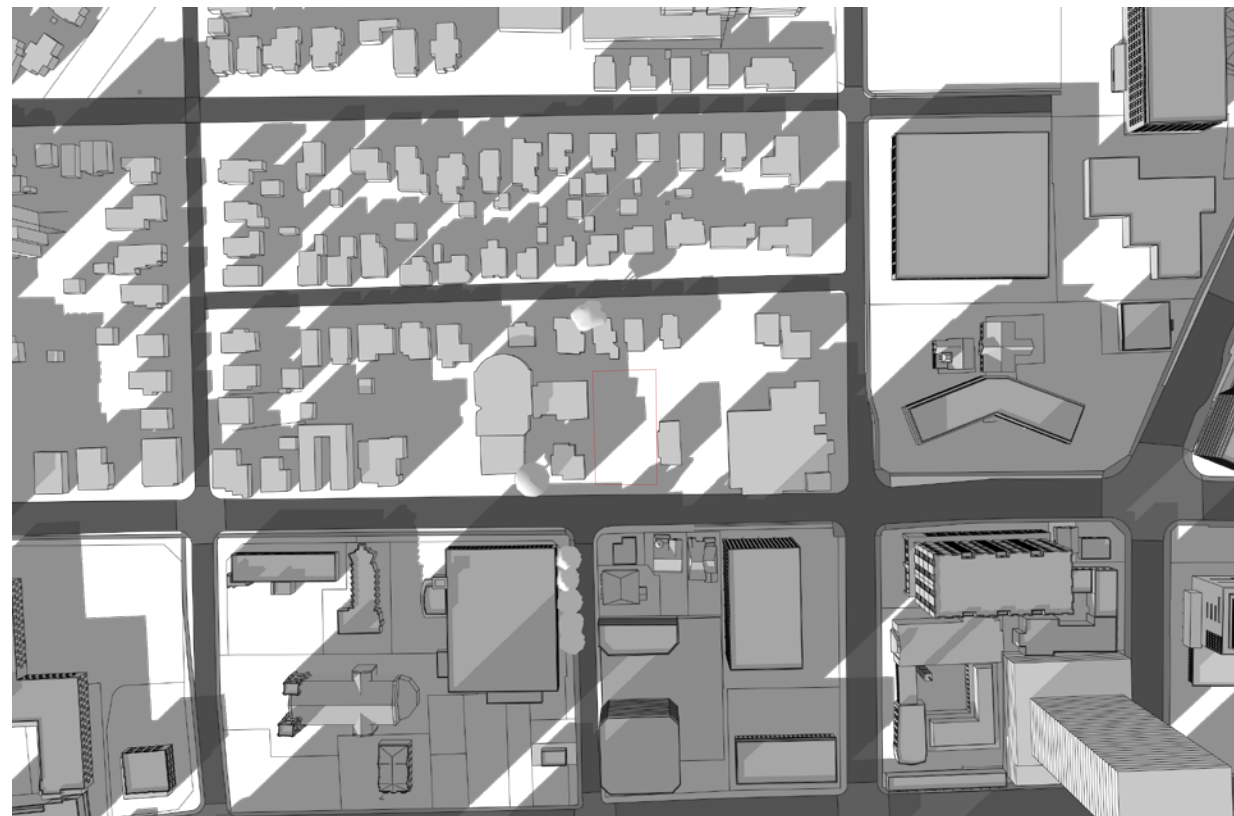
Shadows with Proposed Development



September 21, 3PM

EDT, UTC -4h

Existing Shadows



September 21, 6PM

EDT, UTC -4h

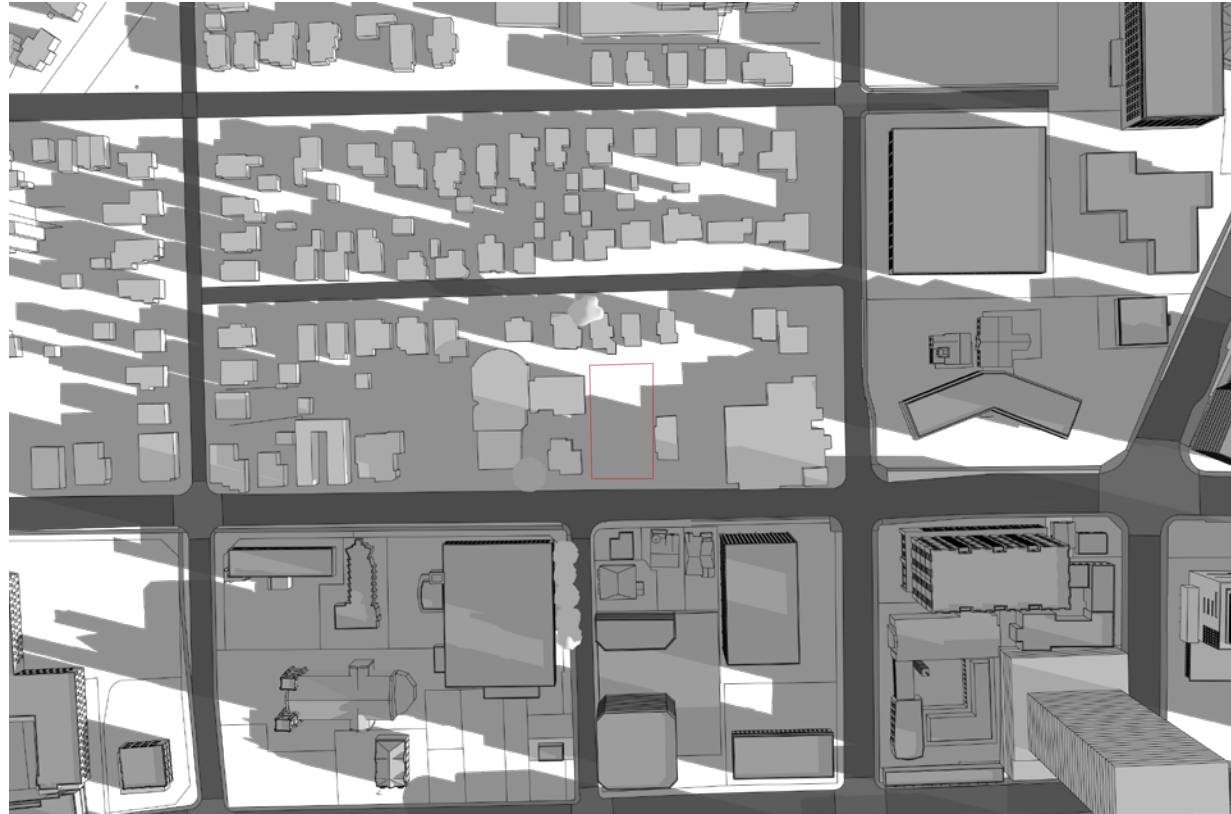
Shadows with Proposed Development



September 21, 6PM

EDT, UTC -4h

Existing Shadows



December 21, 9AM

EST, UTC -5h

Shadows with Proposed Development



December 21, 9AM

EST, UTC -5h

Existing Shadows



December 21, 12PM

EST, UTC -5h

Shadows with Proposed Development



December 21, 12PM

EST, UTC -5h

Shadow Impact Study

22 Weber St W, Kitchener

Existing Shadows



December 21, 3PM

EST, UTC -5h

Shadows with Proposed Development



December 21, 3PM

EST, UTC -5h

Existing Shadows



December 21, 6PM

EST, UTC -5h

Shadows with Proposed Development



December 21, 6PM

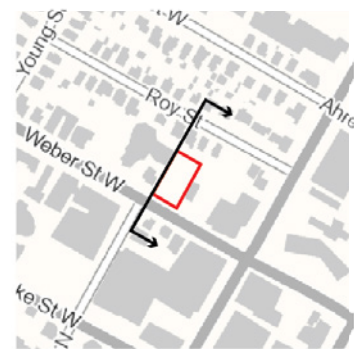
EST, UTC -5h

Shadow Impact Study

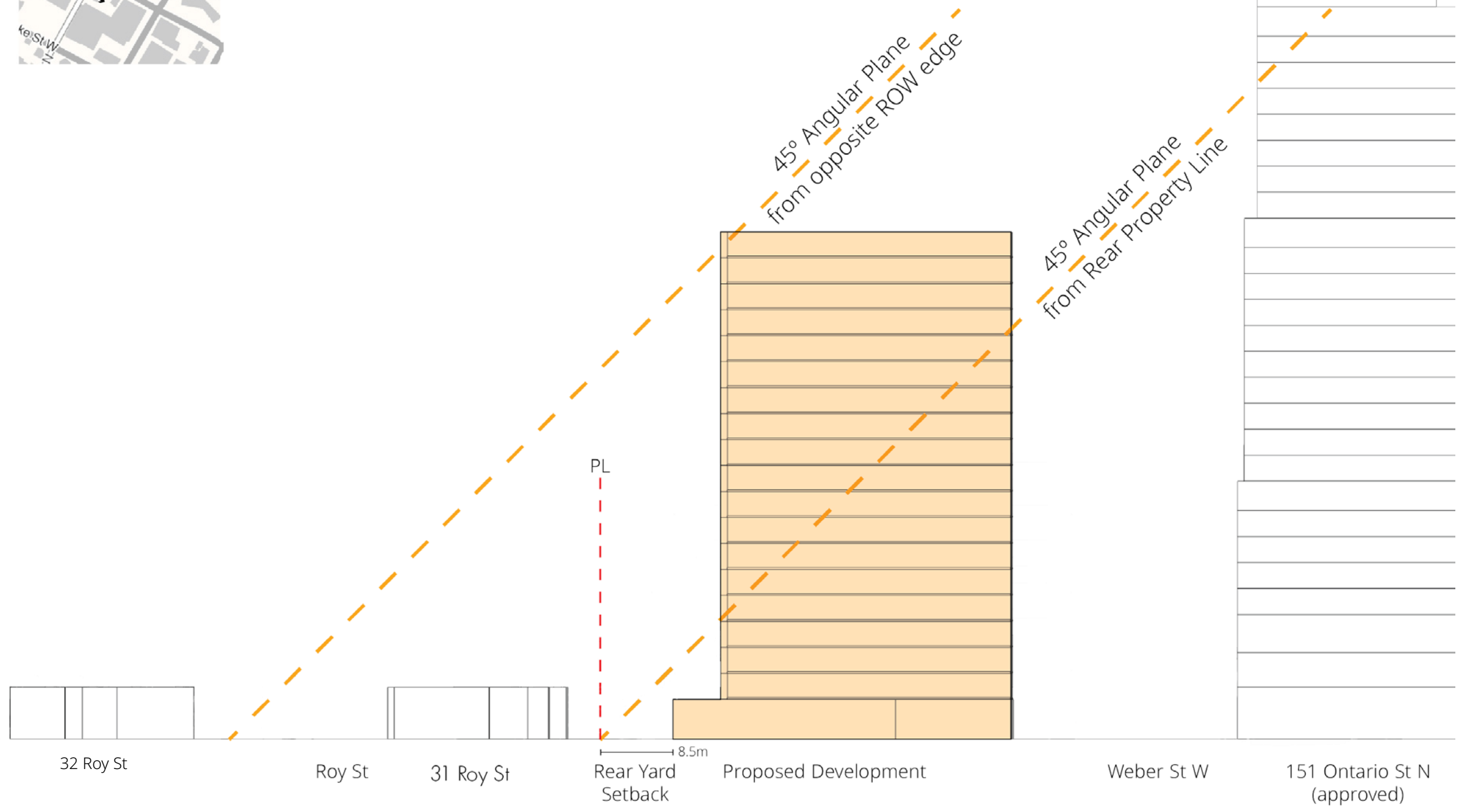
22 Weber St W, Kitchener

Angular Plane Diagrams

22 Weber St W, Kitchener

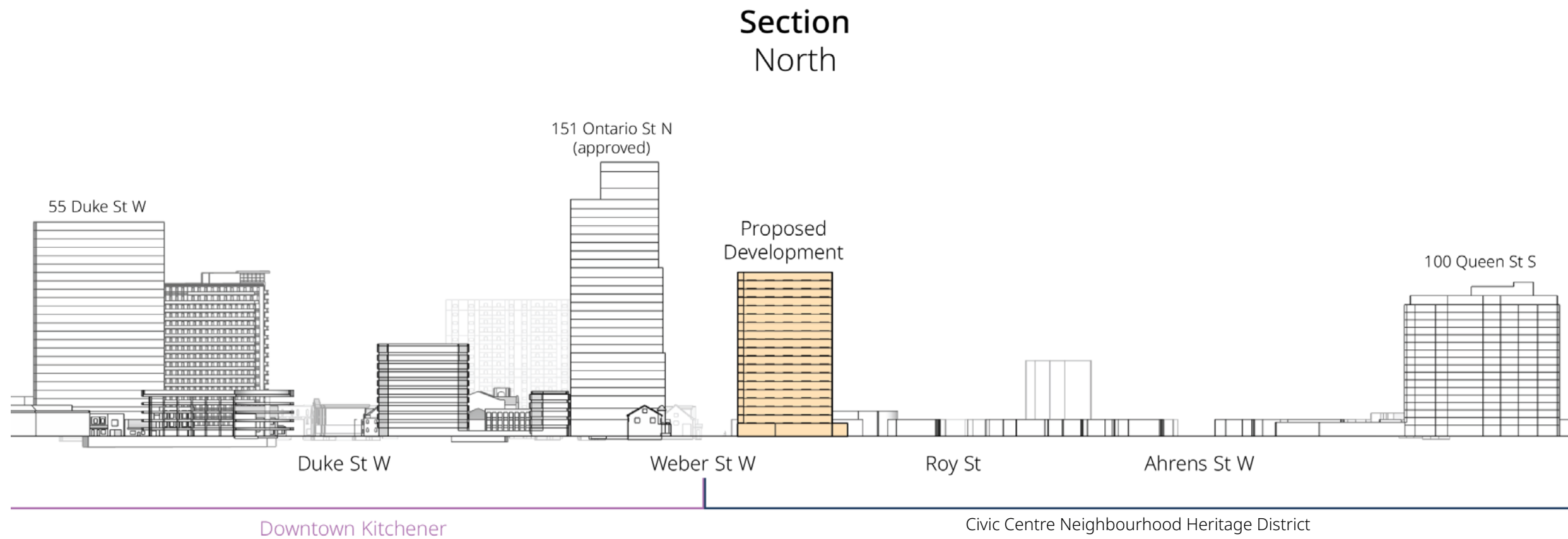
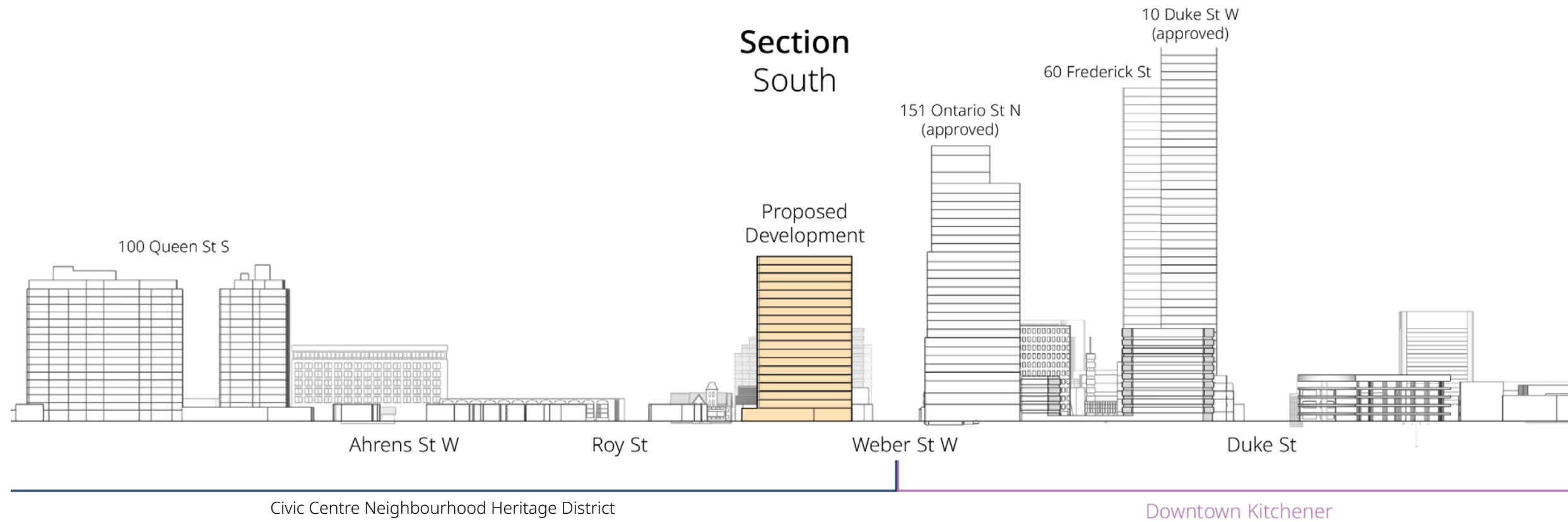


Angular Plane 22 Weber St W



Sections & Elevations

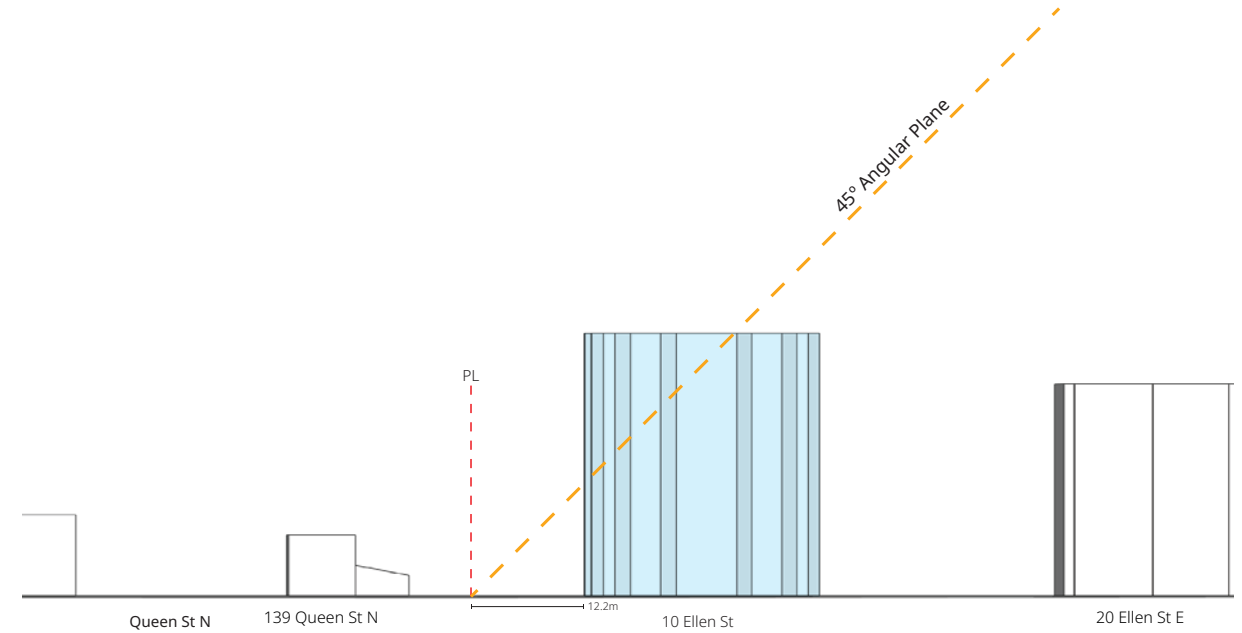
22 Weber St W, Kitchener



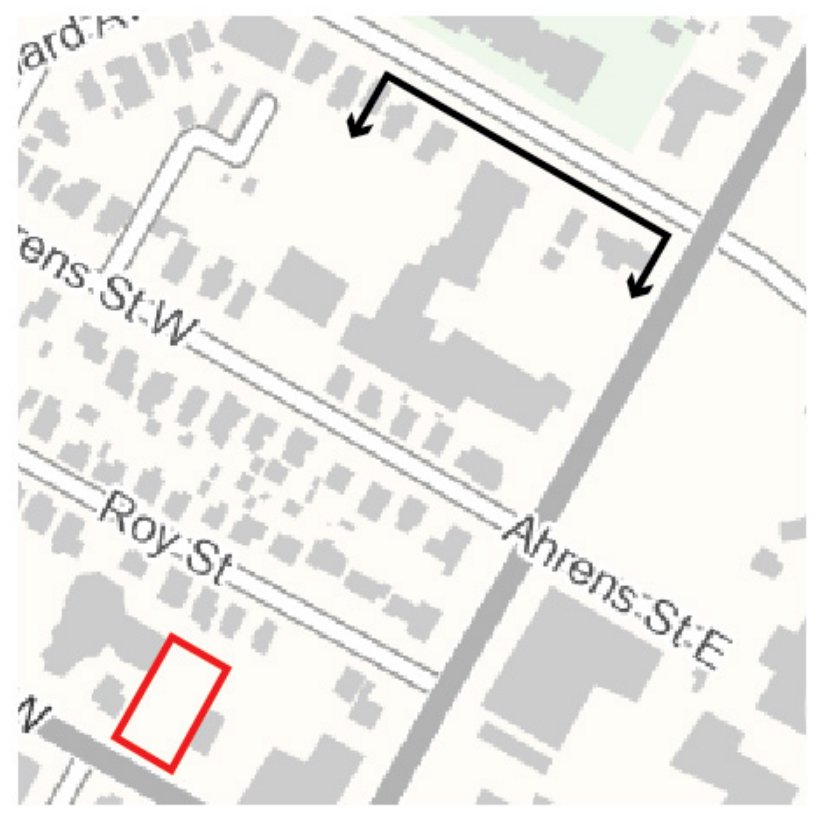
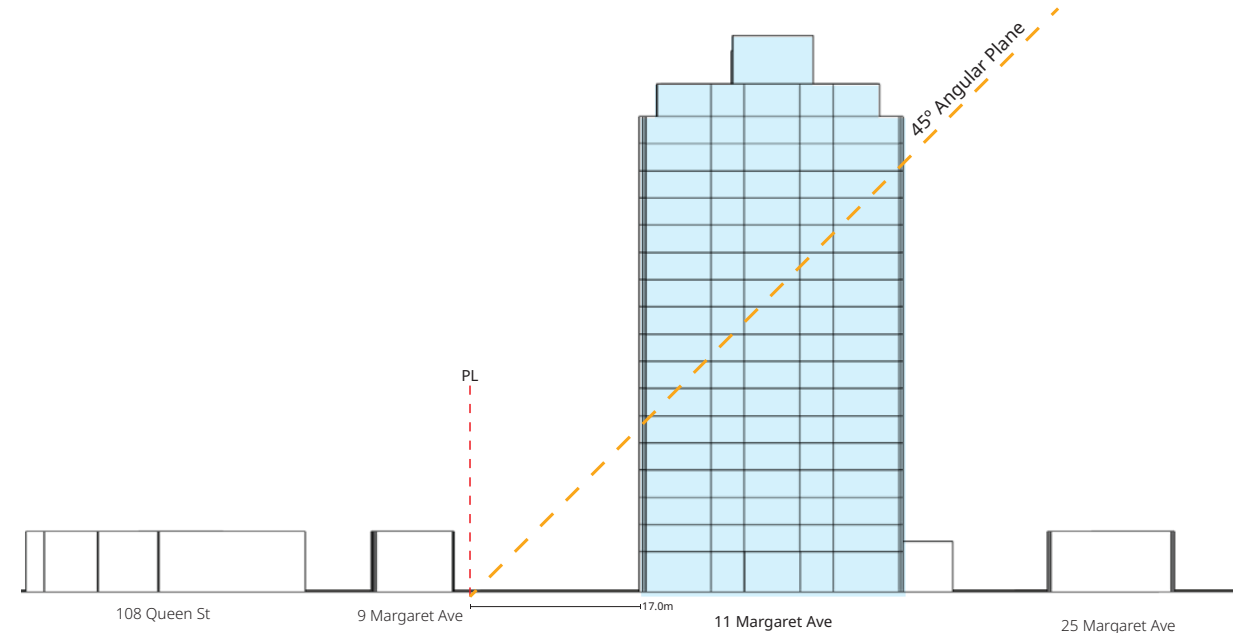
Angular Plane Diagrams

22 Weber St W, Kitchener

Angular Plane
10 Ellen St



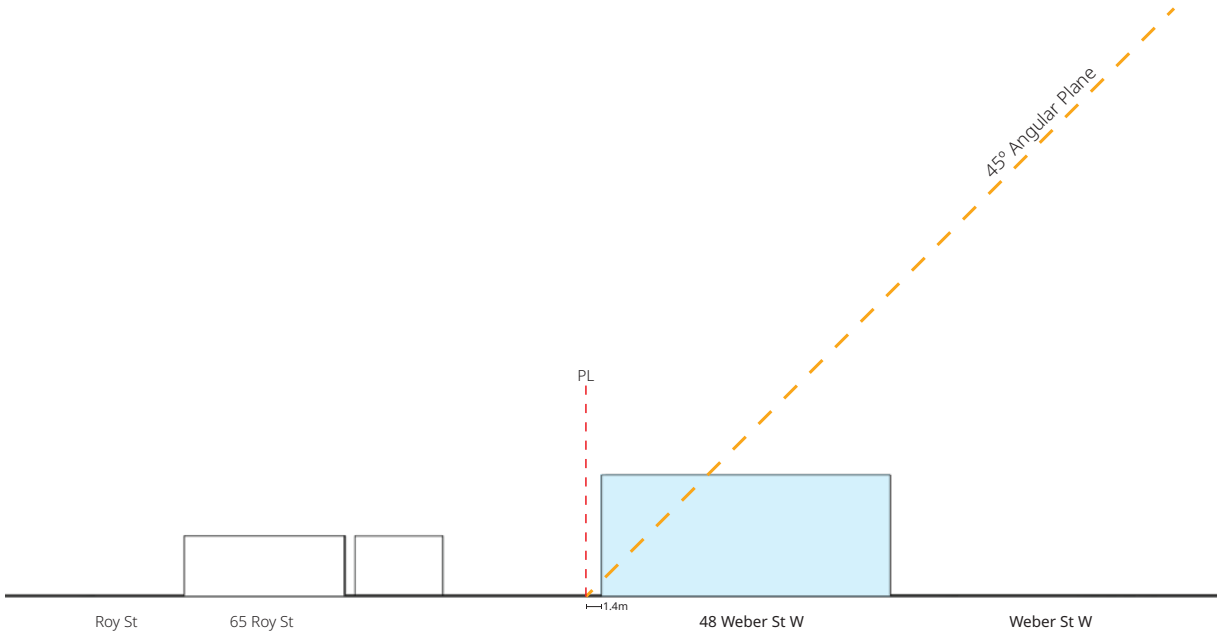
Angular Plane
11 Margaret Ave



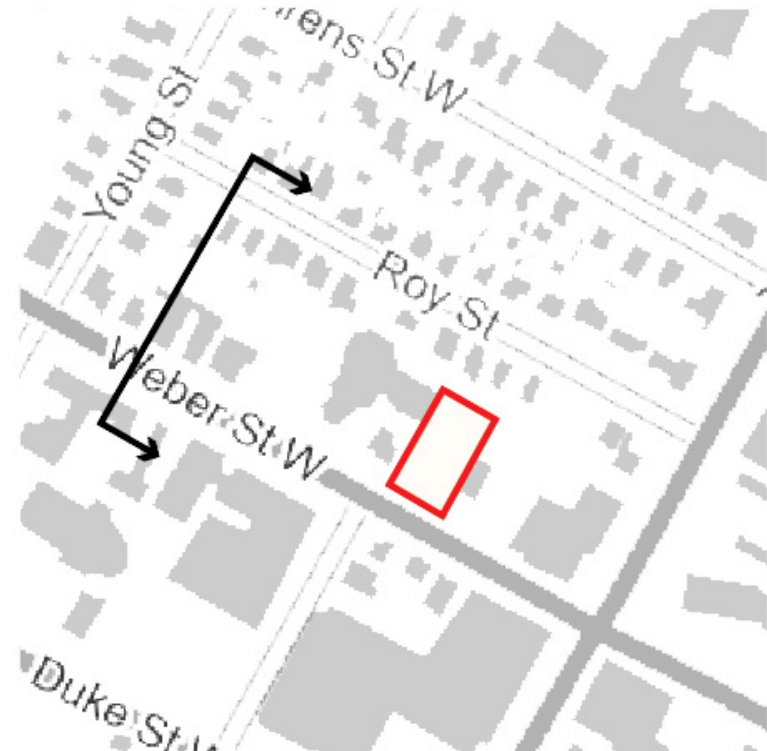
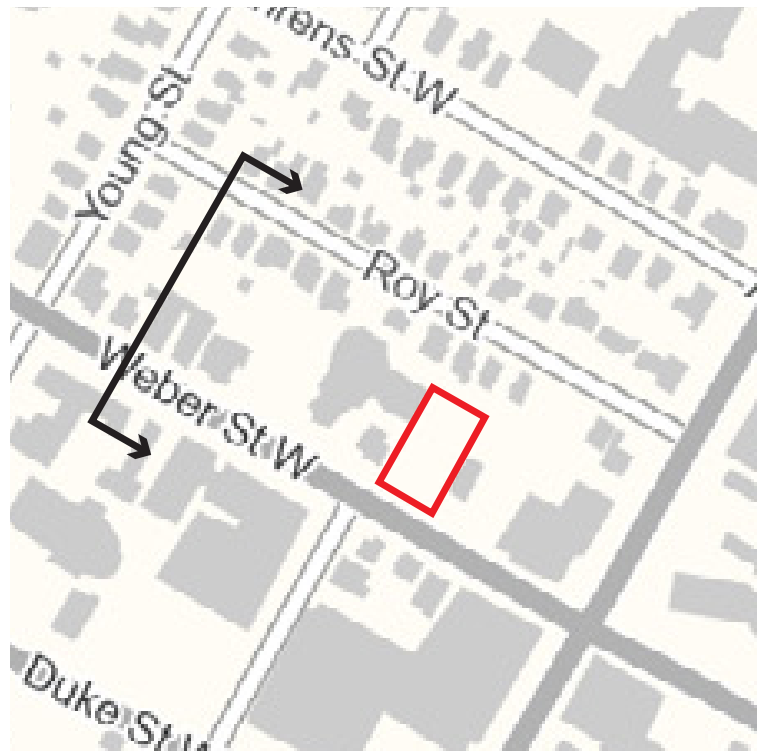
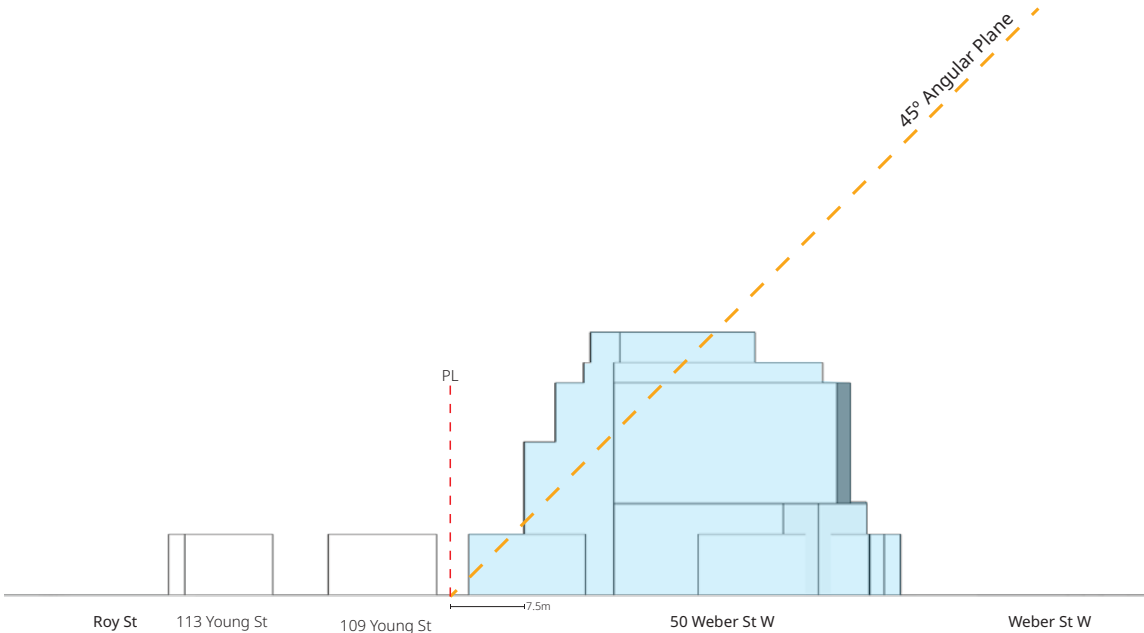
Angular Plane Diagrams

22 Weber St W, Kitchener

Angular Plane
48 Weber St W



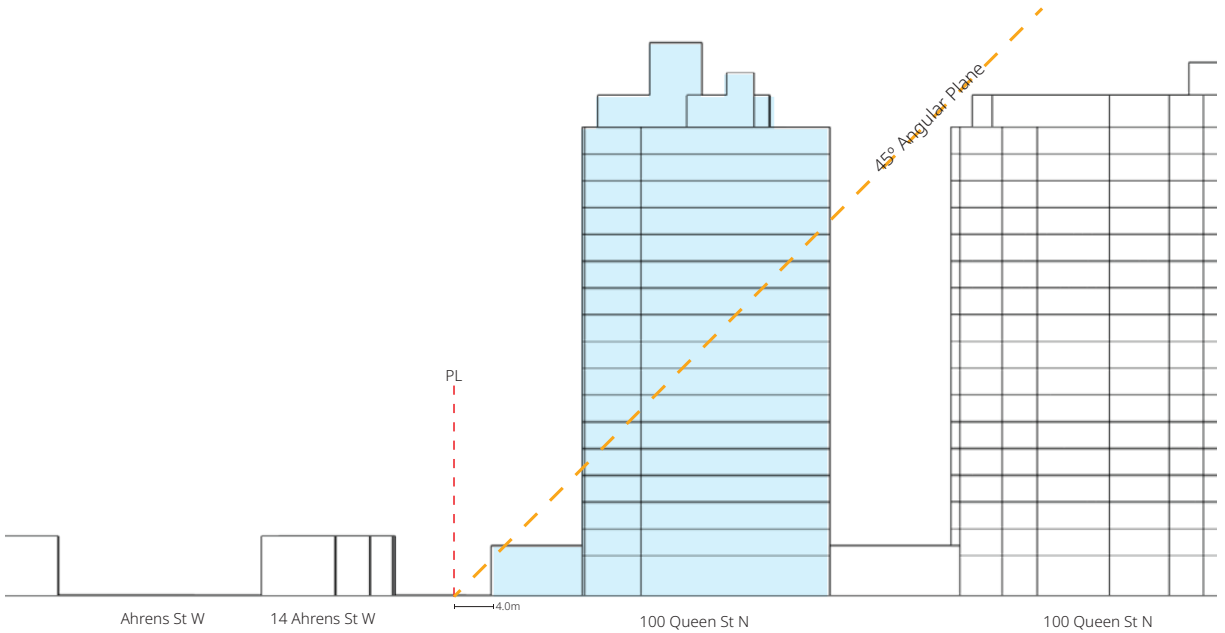
Angular Plane
50 Weber St W



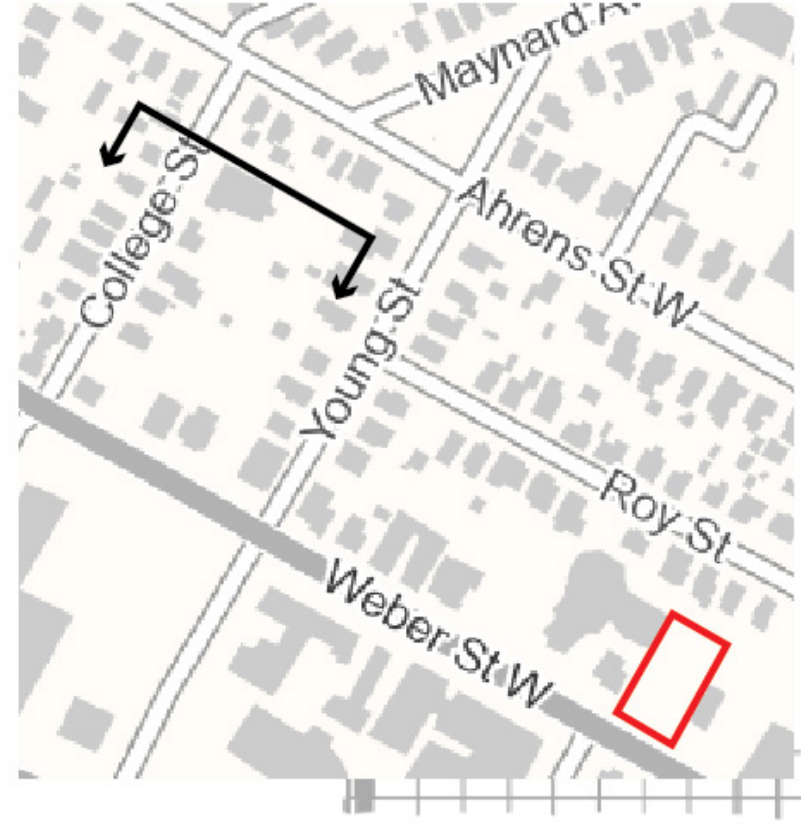
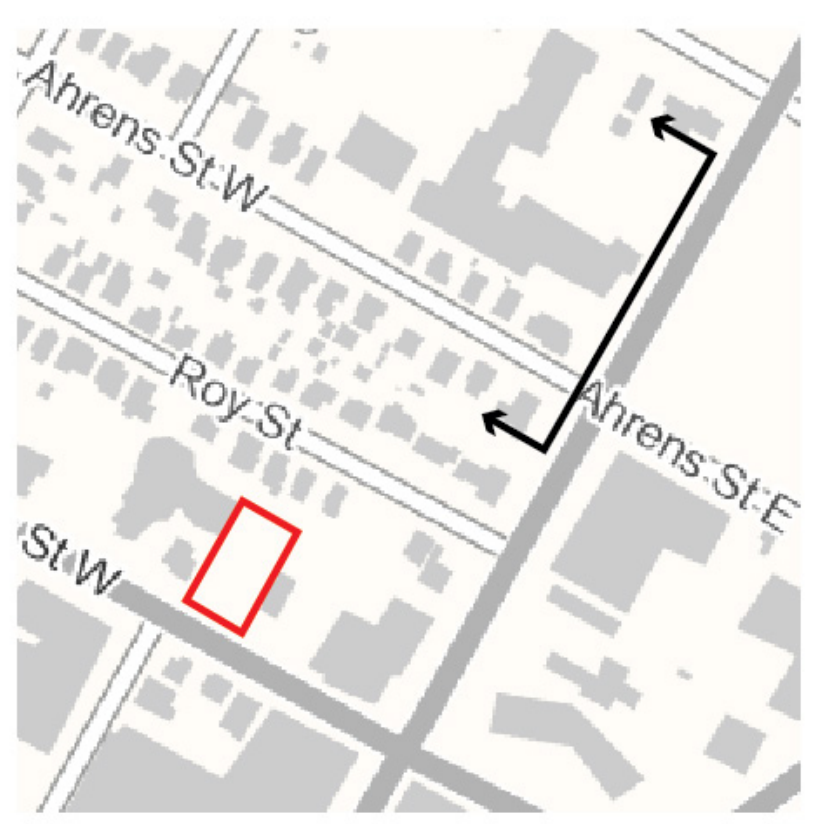
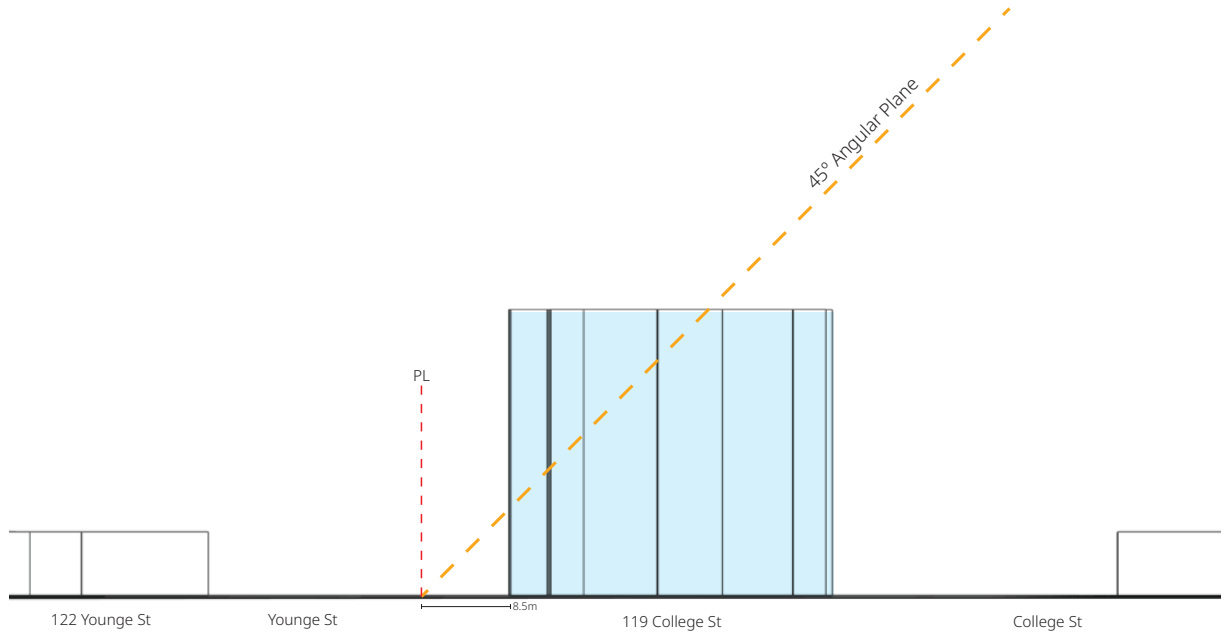
Angular Plane Diagrams

22 Weber St W, Kitchener

Angular Plane
100 Queen St N



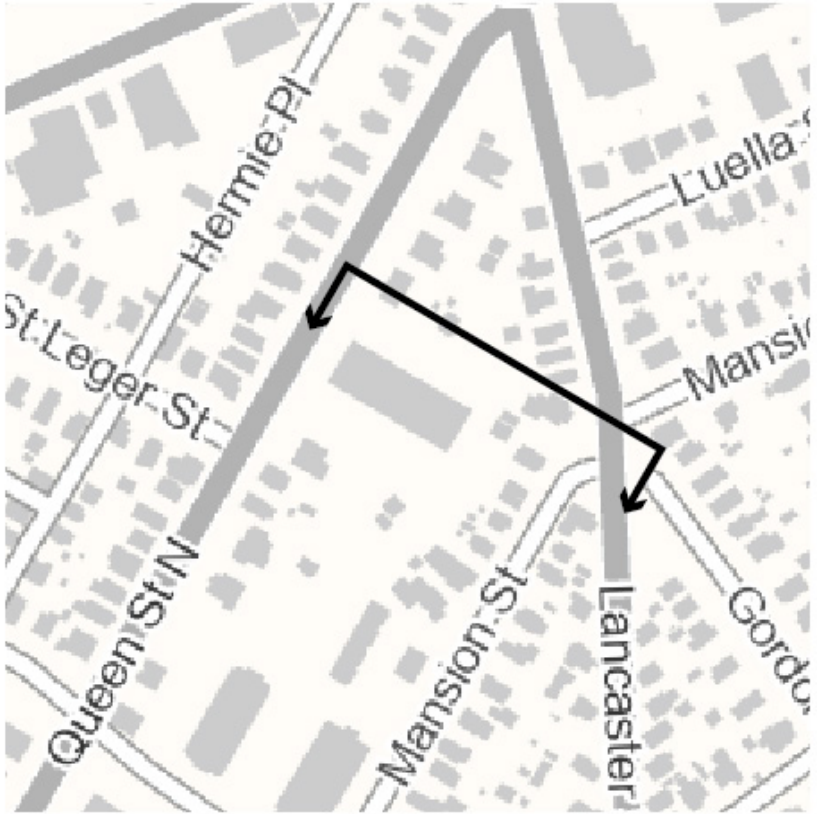
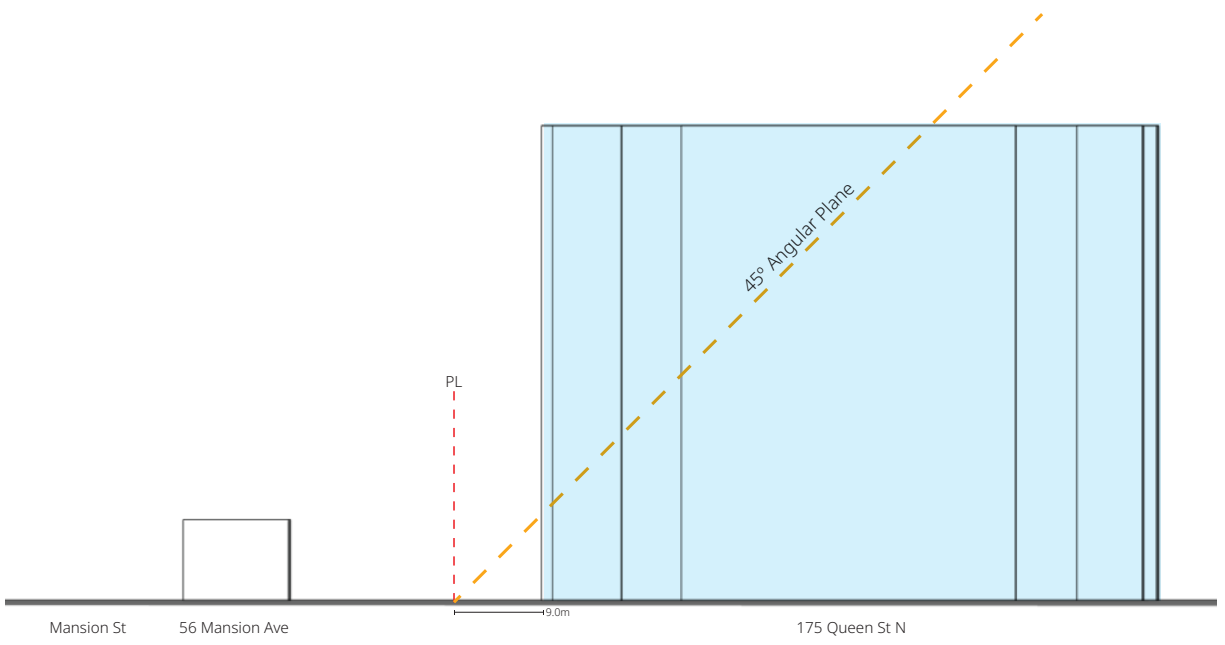
Angular Plane
119 College St



Angular Plane Diagrams

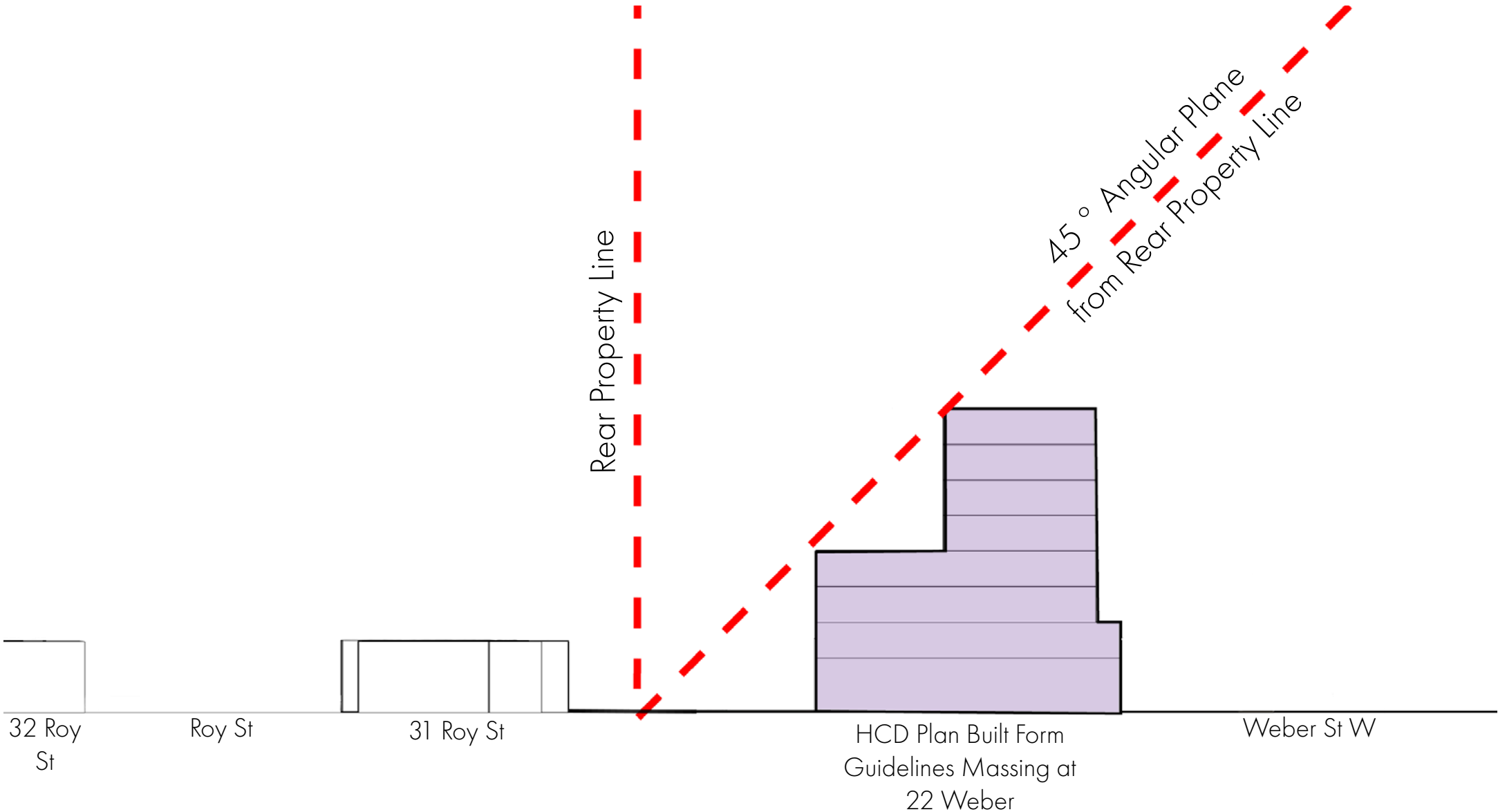
22 Weber St W, Kitchener

Angular Plane
175 Queen St N



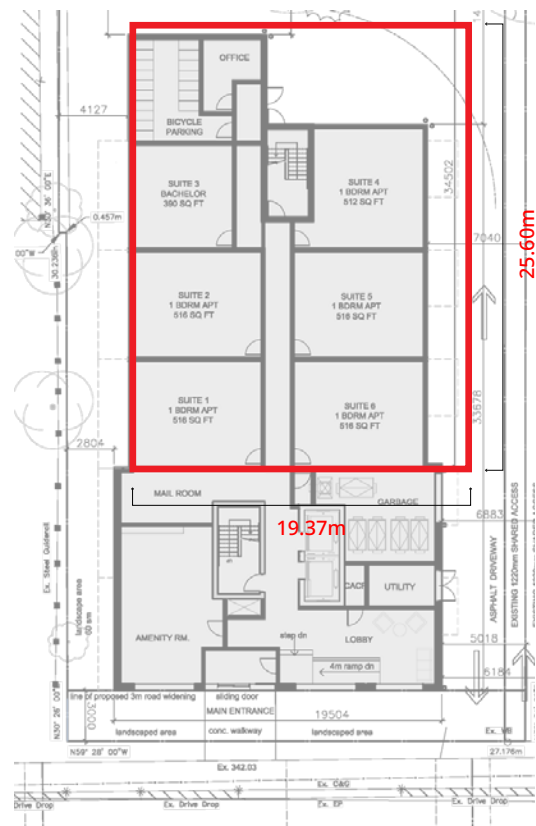
HCD Plan Built Form Guidelines

22 Weber St W, Kitchener

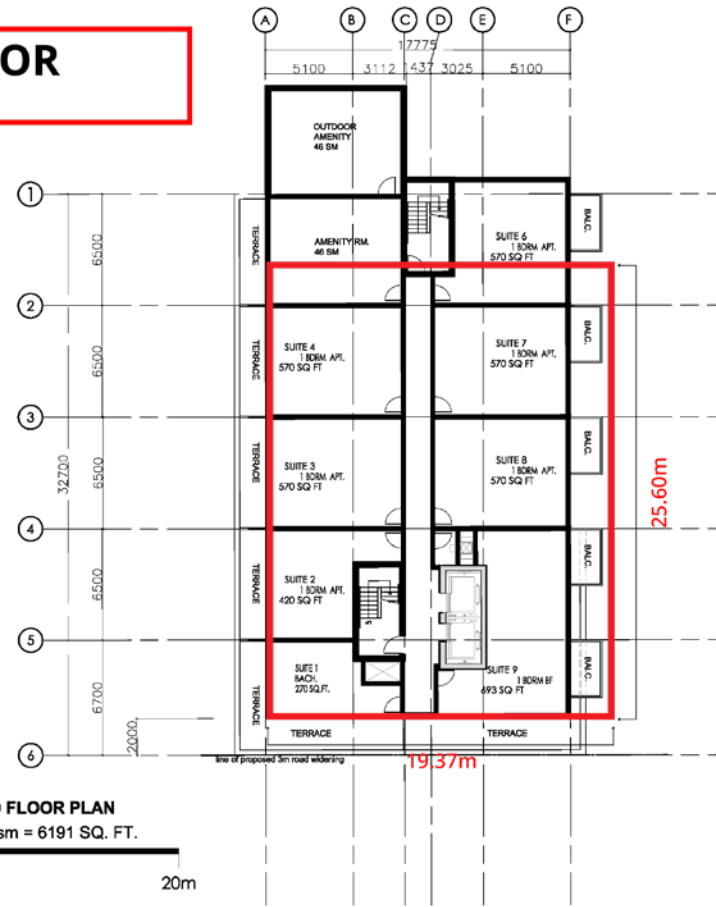


	HCD	1st - 2nd FLOOR	3rd - 4th FLOOR	5th-8th Floor
RY Setback (m)	15	/	/	/
FR Setback (m)	10	10	10	10
FY Stepback (m)	2	/	2	2
RY Stepback (m)	Compliance with 45° Angular Plane	/	/	10.75
Length (m)	Based on Compliance with Setbacks	25.6	23.57	12.82
Width (m)	Based on Compliance with Setbacks	19.37	19.37	19.37
Area (sqft)	Based on Compliance with Metrics Above	5,337.52	4,914.27	2,672.93

1ST FLOOR
5,337.52 sqft



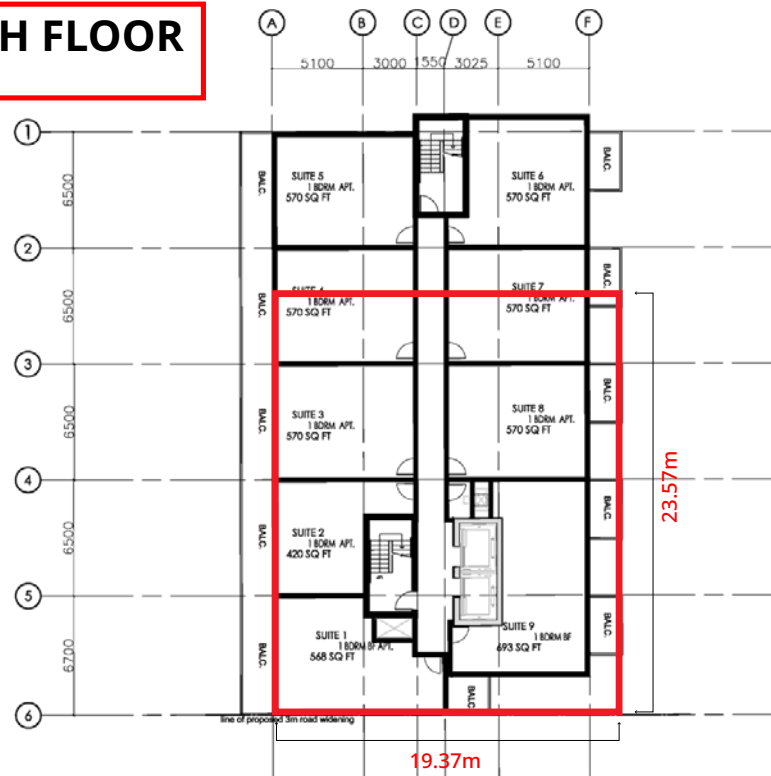
2ND FLOOR
5,337.52 sqft



PROPOSED SECOND FLOOR PLAN
FLOOR AREA 575.23 sm = 6191 SQ. FT.



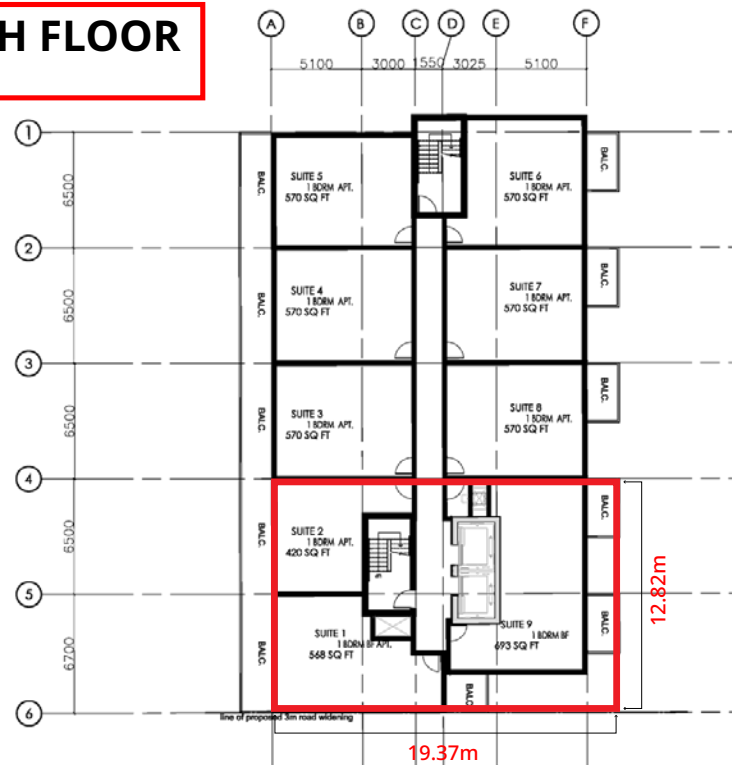
3RD - 4TH FLOOR
4,914.27 sqft



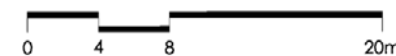
PROPOSED TYPICAL FLOOR PLAN
FLOOR AREA 575.23 sm = 6191 SQ. FT.



5TH - 8TH FLOOR
2,672.93 sqft



PROPOSED TYPICAL FLOOR PLAN
FLOOR AREA 575.23 sm = 6191 SQ. FT.

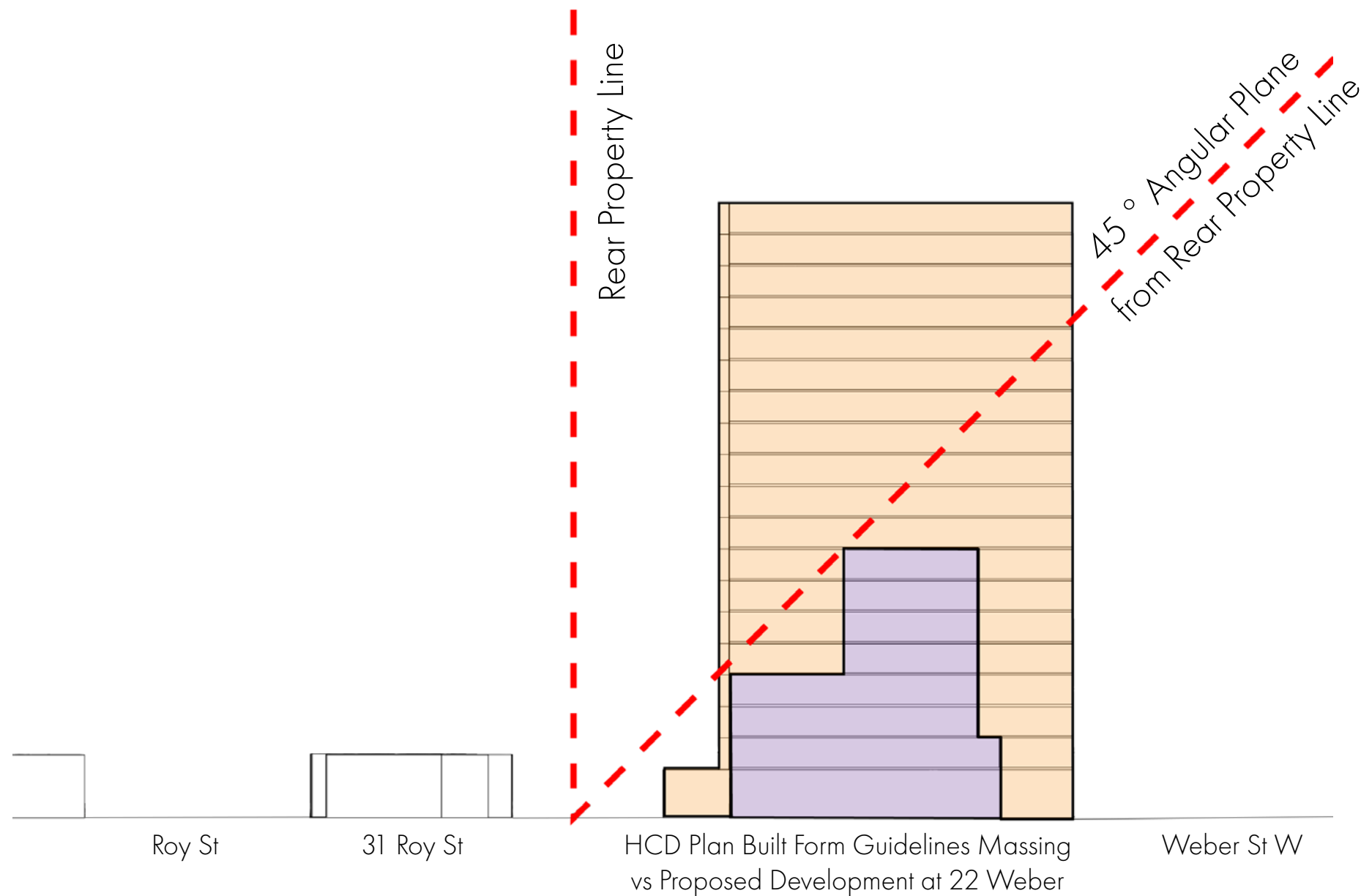


HCD Plan Built Form Guidelines Floor Plans

22 Weber St W, Kitchener

HCD Plan Built Form Guidelines

22 Weber St W, Kitchener

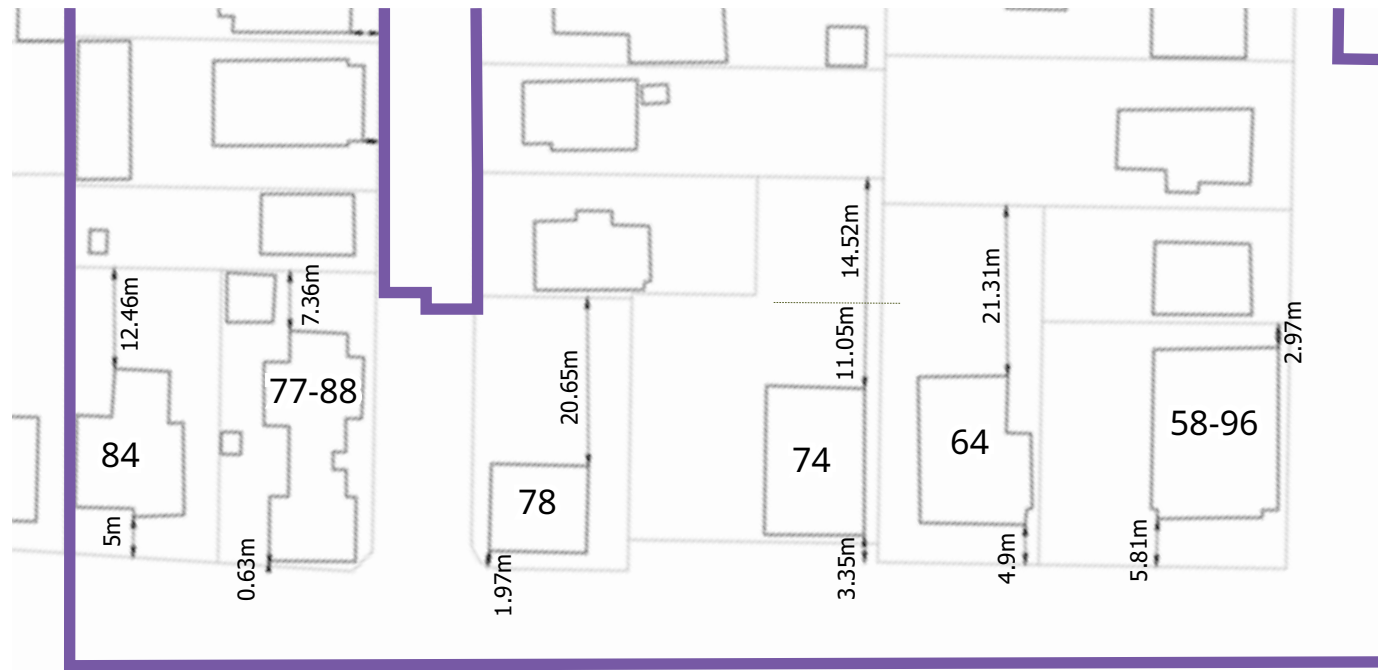


	HCD Plan Built Form Guidelines Total	Proposed Development Totals
Floors	8	19
Area (sqft)	12,924.72	111,451.04
Possible Units	+/- 35	168
FSR	0.86	7.92

- HCD Plan Built Form Guidelines
- Proposed Development

Policy Area Setbacks

22 Weber St W, Kitchener



Municipal Address in Policy Area	Front Yard Setback (m) Weber St W Frontage
84 Weber St W	5
74-88 College St	0.63
78 Weber St	1.97
74 Weber St	3.35
64 Weber St	4.9
58-96 Young St	5.81
50-56 Weber St W, 107 Young St (Approved)	4.9
48 Weber St	3.77
44 Weber St	5.02
32 Weber St	9.7
28 Weber St	7.34
22 Weber St	3
18 Weber St	12.88
54 Queen St N	0.35
Average - Weber St without Subject Lands	5.04
Median - Weber St without Subject Lands	4.9
Average - Weber St with Subject Lands	4.9

Municipal Address in Policy Area	Rear Yard Setback (m)
84 Weber St W	12.46
74-88 College St	7.36
78 Weber St	20.65
74 Weber St	11.05
64 Weber St	21.31
58-96 Young St	2.97
50-56 Weber St W, 107 Young St (Approved)	7.5
48 Weber St	0.5
44 Weber St	17.63
32 Weber St	0.39
28 Weber St	6.74
22 Weber St	13.6
18 Weber St	18.68
54 Queen St N	9.98
Average - Weber St without Subject Lands	10.56
Median - Weber St without Subject Lands	9.98
Average - Weber St with Subject Lands	10.77



Front Yard Setbacks

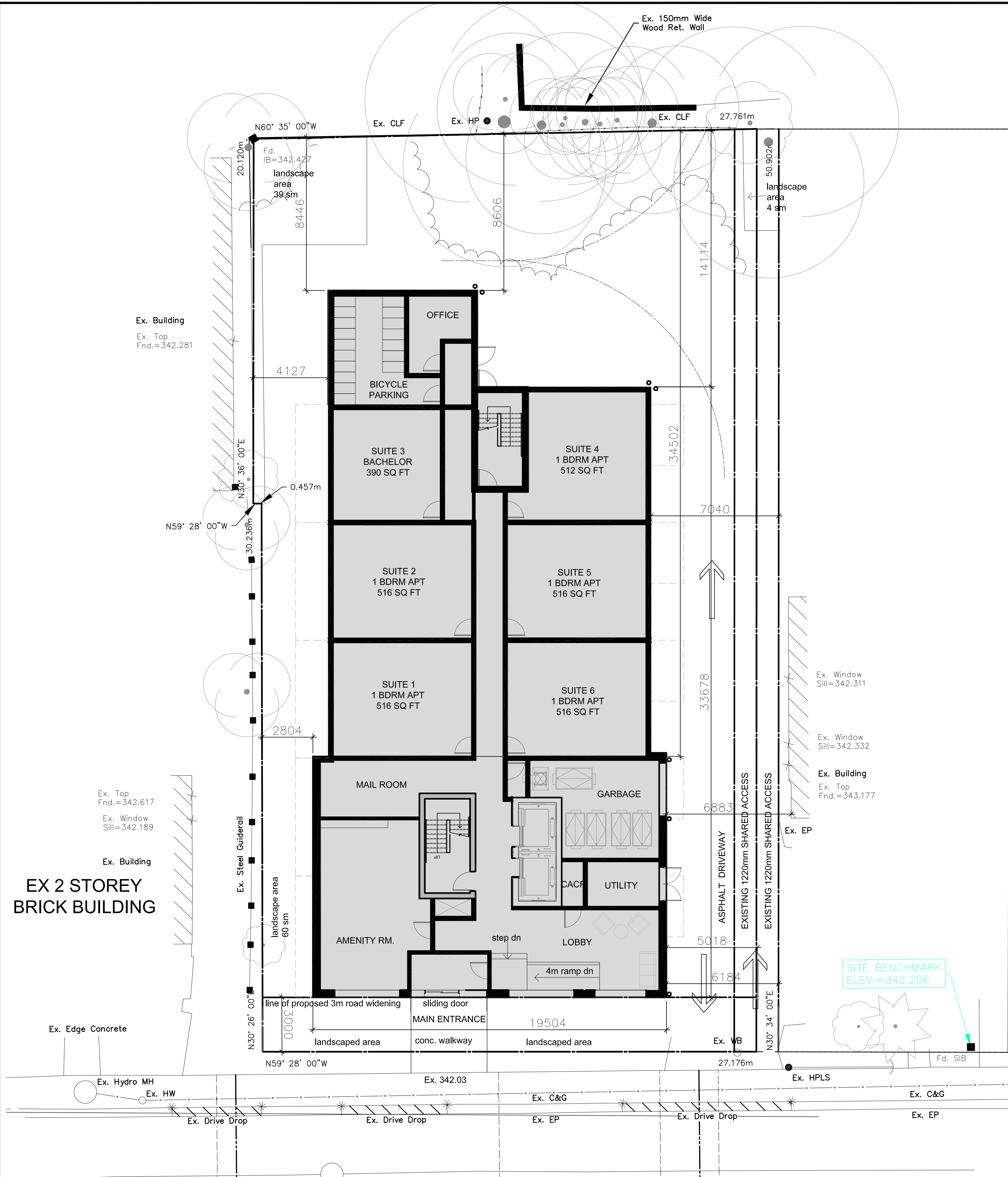
22 Weber St W, Kitchener



Front Yard Setbacks Along Weber St W

Weber St Policy Area

NO.	DATE	PARTICULAR
1	20.07.08	ISSUED FOR OPA / JC
2	24.05.15	ISSUED FOR OWNER REVIEW
3	24.09.03	ISSUED FOR OWNER REVIEW
4	24.12.09	REVISED FOR OPA/JC
5	25.01.22	REVISED FOR OPA/JC



AREA OF SITE 1392 SM
 minus road widening 85.2 SM
 =1,306.8 SM

LANDSCAPED AREA 116 SM
 minus 45 SQM road widening 71 SM = 5.44%

PROPOSED SETBACKS
 FRONT 0M
 REAR 13.6M
 WEST SIDE 2.8M
 EAST SIDE 5M

GROUND FLOOR AREA 666.31 SM
 TYPICAL FLOOR AREA 575.23 SM

575.23 X 18 STORIES = 10354.14 SM
 PROPOSED FSR = 7.92

TOTAL PROPOSED = 168 UNITS

PARKING REQUIREMENTS
 MIN PARKING REQUIRED: N/A

BICYCLE PARKING: 1 PER UNIT PROVIDED

18 FLOORS WITH 9 UNITS EACH = 162 UNITS
 + 1 FLOOR WITH 6 UNITS = 168 UNITS TOTAL

168 UNITS X 0.15 = 26 BF UNITS REQUIRED PER OBC

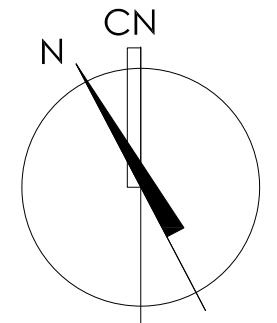
19 STOREYS INCLUDING GROUND FLOOR
 18 X 3.0M FLOOR TO FLOOR = 54M HEIGHT
 GROUND FLOOR HEIGHT = 4.6m
 TOTAL BUILDING HEIGHT = 58.6m

TOTAL BALCONY AREA FOR AMENITY SPACE = 1,595 SM

PROPOSED SITE PLAN
 GROUND FLOOR AREA 614.79 SM = 6,618 SQ. FT.



SUITE #	BALCONY AREA
SUITE 1	12 SM + 5 SM = 17SM
SUITE 2	11.7 SM
SUITE 3	11.7 SM
SUITE 4	11.7 SM
SUITE 5	11.7 SM
SUITE 6	6 SM
SUITE 7	6 SM
SUITE 8	6 SM
SUITE 9	6 SM + 6 SM = 12SM
TOTAL BALCONY AREA ON TYP. FLOOR	93.8 SM
TOTAL BALCONY AREA FOR AMENITY SPACE	93.8 SM X 17 TYP. FLOORS = 1595 SM

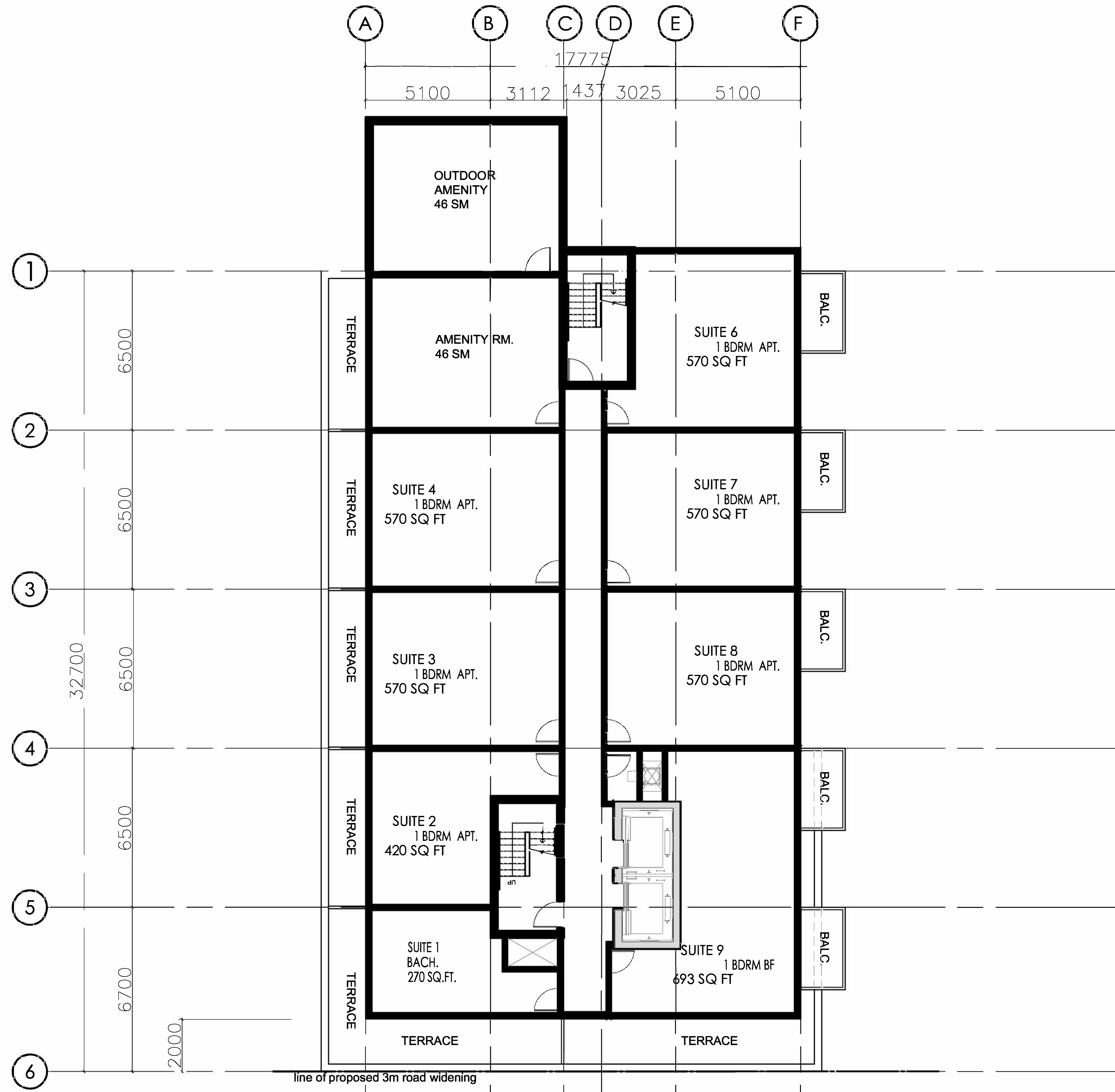


PROPOSED MULTI-RESIDENTIAL DEVELOPEMENT
 22 WEBER ST W. KITCHENER, ONTARIO
 JAN 22, 2025

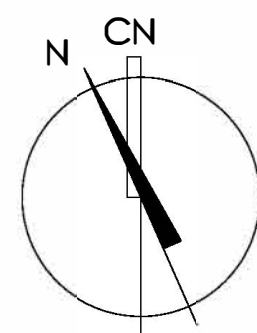
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REVISIONS

NO.	DATE	PARTICULAR
1	25.03.14	ISSUED FOR OPA / IC



PROPOSED SECOND FLOOR PLAN
FLOOR AREA 575.23 sm = 6191 SQ. FT.

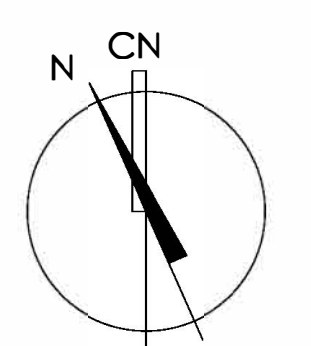


PROPOSED MULTI-RESIDENTIAL DEVELOPEMENT
22 WEBER ST W., KITCHENER, ONTARIO
MAR 28, 2025

REVISIONS		
NO.	DATE	PARTICULAR
1	20.07.08	ISSUED FOR OPA / JC
2	24.05.15	ISSUED FOR OWNER REVIEW
3	24.09.03	ISSUED FOR OWNER REVIEW



PROPOSED TYPICAL FLOOR PLAN (3-19)
 FLOOR AREA 575.23 sm = 6191 SQ. FT.



PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
 22 WEBER ST W. KITCHENER, ONTARIO
 SEPT. 03, 2024

+VG ARCHITECTS
 THE VENTIN GROUP LTD

50 Dalhousie Street
 Brantford, Ontario, Canada
 N3T 2H8
 T: 519.754.1652
 www.plusvg.com

Filename: K:\TVG-Brantford\22 Weber St - Denehal\1907\Drawings\22Weber-Pans-Sept 04.24.dwg



PROPOSED MULTI-RESIDENTIAL DEVELOPMENT

22 WEBER ST. W. KITCHENER, ON.
MARCH, 31, 2025

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MARCH, 31, 2025

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